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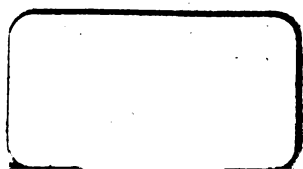
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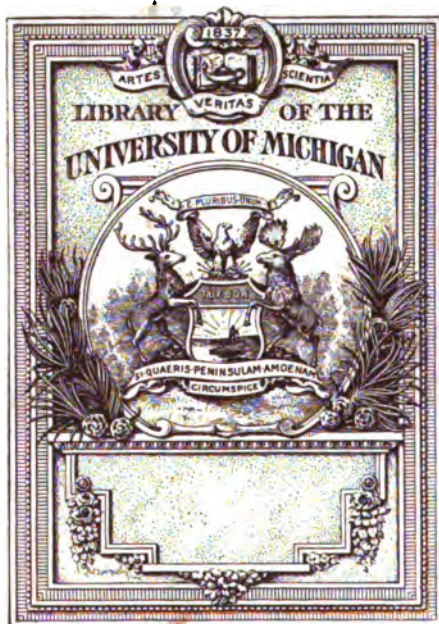
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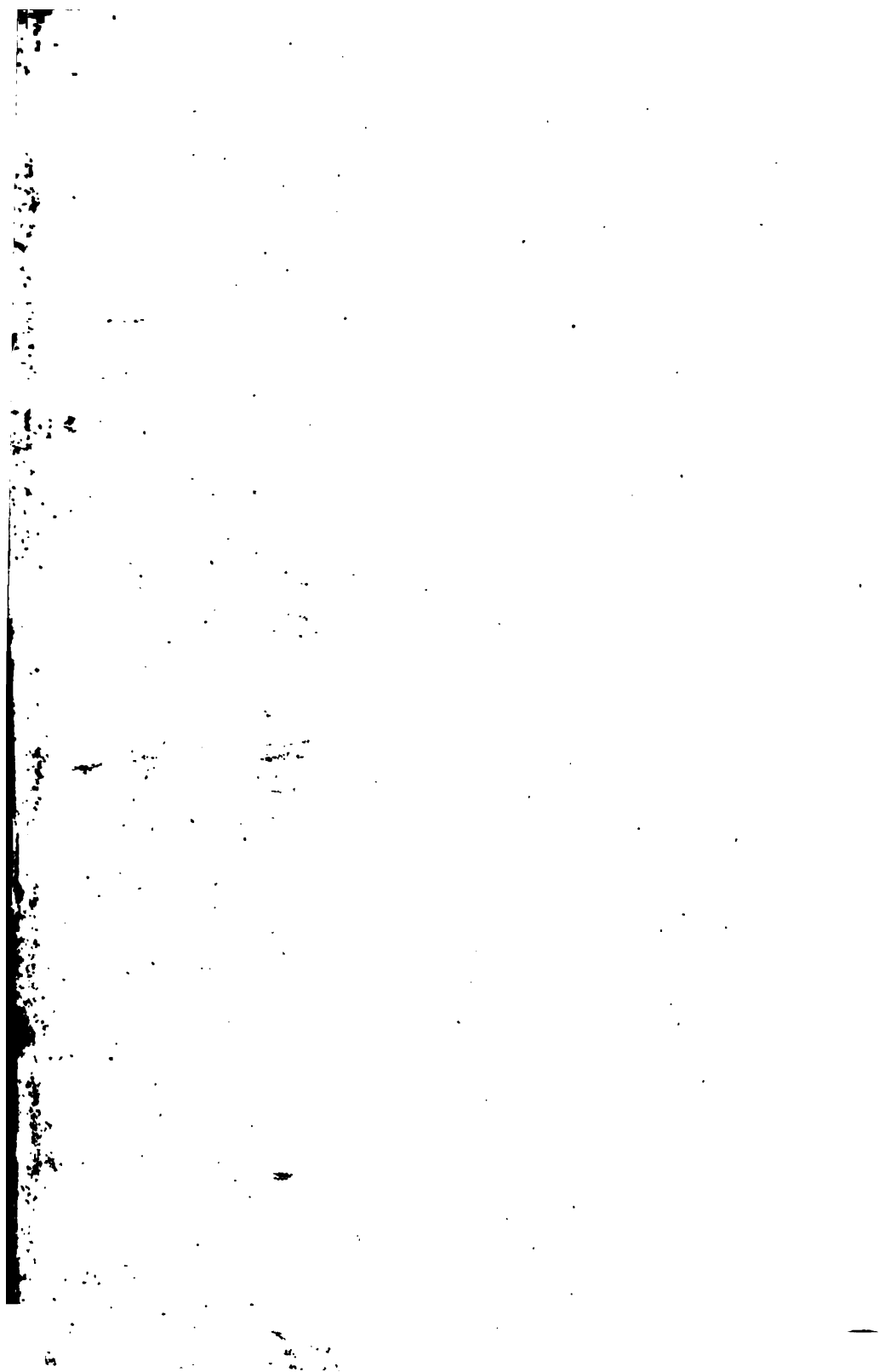
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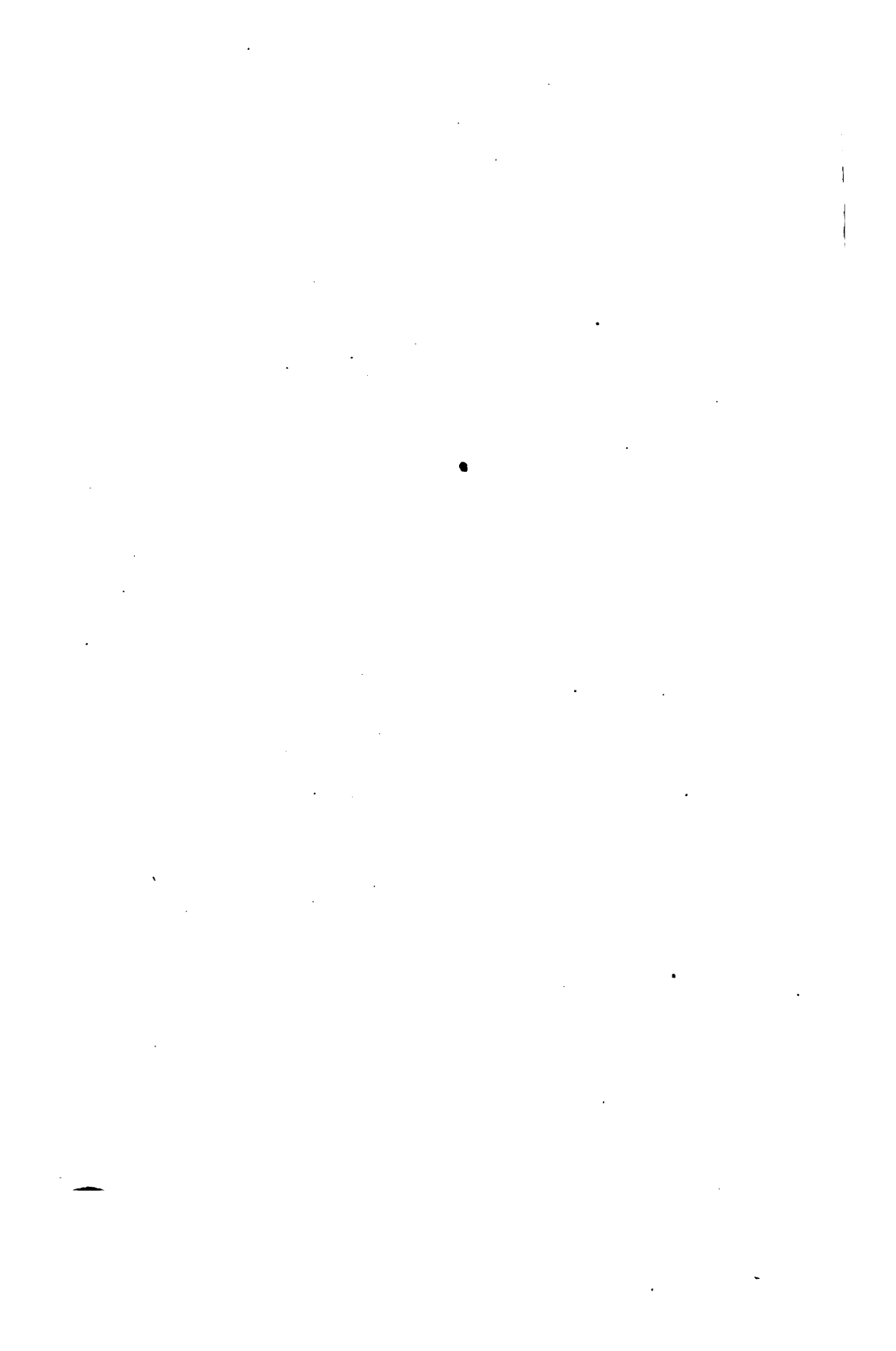




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# HOUSE JOURNAL.

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PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY

OF THE

STATE OF KANSAS.

THIRTEENTH ANNUAL SESSION, COMMENCED AT THE STATE CAPITAL,  
TUESDAY, JANUARY 14, 1873.

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TOPEKA, KANSAS:

R. S. PROUTY, PUBLIC PRINTER.

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1873.

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# HOUSE JOURNAL.

HOUSE OF REPRESENTATIVES, }  
TOPEKA, KANSAS, JANUARY 14, A. D. 1872. }

The Thirteenth Annual Session of the Legislature of the State of Kansas, began on the second Tuesday of January, the fourteenth day of said month, A. D. 1873.

This being the day designated by the Constitution for the meeting of the Legislature, the House of Representatives was called to order at 12 o'clock M., by the Hon. W. H. Smallwood, Secretary of State.

The roll of the House was called by districts, the gentlemen answering to their names came forward and subscribed the following oath, which was administered by the Hon. D. M. Valentine, Associate Justice of the Supreme Court :

"You and each of you do solemnly swear in the presence of Almighty God, that you will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully perform your duties as members of the House of Representatives of the State of Kansas, to the best of your ability, so help you God.

The following are the names of the members according to districts:

District No.	1,	M. B. Bowers.
do	do	2, B. O'Driscoll.
do	do	3, E. Searcy.
do	do	4, A. W. Spaulding.
do	do	5, G. W. Gillespie.
do	do	6, M. E. Larkin.

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District No.	7,	C. F. Bowron.
do	do	8, Cyrus I. Scofield.
do	do	9, H. C. De Forrest.
do	do	10, I. C. Legere.
do	do	11, A. J. Banta.
do	do	12, W. J. Hunter.
do	do	13, R. A. Guffy.
do	do	14, Welcome Wells.
do	do	15, P. M. Hodges.
do	do	16, J. F. Willets.
do	do	17, V. Brown.
do	do	18, D. H. Frazier.
do	do	19, W. S. Plummer.
do	do	20, Thomas Morgan.
do	do	21, Josiah Kellogg.
do	do	22, W. H. Bond.
do	do	23, J. Turner.
do	do	24, H. C. Fields.
do	do	25, T. Dillard.
do	do	26, W. S. Tough.
do	do	27, W. J. Buchan.
do	do	28, Thomas James.
do	do	29, J. M. Miller.
do	do	30, D. Relden.
do	do	31, J. W. Beatty.
do	do	32, Reuben Smith.
do	do	33, S. R. Hungerford.
do	do	34, J. F. Ward.
do	do	35, L. H. Lane.
do	do	36, Cochrane.
do	do	37, Jacob Brenner.
do	do	38, D. P. McDonald.
do	do	39, A. J. Vickers.
do	do	40, S. J. Langdon.
do	do	41, A. F. Childs.
do	do	42, C. N. Harvey.
do	do	43, W. W. Harper.
do	do	44, W. H. Mapes.



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District No.	45, C. F. Hntchings.
do	do 46, Frank Bacon.
do	do 47, Edward H. Funston.
do	do 48, Wm. Wakefield.
do	do 49, Jno. L. Fanter.
do	do 50, E. J. Nugent.
do	do 51, Wm. Bateman.
do	do 52, James S. Brew.
do	do 53, I. S. Kalloch.
do	do 54, K. Lowe.
do	do 55, H. Henshaw.
do	do 56, D. M. Adams.
do	do 57, George W. Veale.
do	do 58, Wesley Gregg.
do	do 59, W. R. Shoemaker.
do	do 60, A. B. Cooper.
do	do 61, S. K. Cross.
do	do 62, Wm. Peck.
do	do 63, J. C. Sexton.
do	do 64, T. B. Eldridge.
do	do 65, M. S. Bell.
do	do 66, E. S. Cummings.
do	do 67, S. P. Huntington.
do	do 68, L. N. Robinson.
do	do 69, J. M. Hunter.
do	do 70, Abraham Sellers.
do	do 71, W. S. Blakely.
do	do 72, C. H. Titus.
do	do 73, Wm. Jeffrey.
do	do 74, Thomas H. Baker.
do	do 75, James McDermott.
do	do 76, E. B. Allen.
do	do 77, J. K. McLean.
do	do 78, J. E. Simpson.
do	do 79, S. J. Kahler.
do	do 80, S. L. Stratton.
do	do 81, Alman Shaw.
do	do 82, H. C. Snyder.

District No.	83,	W. B. Davis.
do	do	84, Eleric Forsee.
do	do	85, N. F. Hoesman.
do	do	86, George Green.
do	do	87, John Curtin.
do	do	88, George S. Bishop.
do	do	89, Simeon Motz.
do	do	90, Alex. Ross.
do	do	91, Wm. Lowrey.
do	do	92, C. A. Rohrabacher.
do	do	93, C. Reasoner.
do	do	94, C. C. Hutchinson.
do	do	95, J. T. Morrison.
do	do	96, H. A. Ensign.
do	do	97, J. L. Brinkman.
do	do	98, David Adams.
do	do	99, Noah Weaver.
do	do	100, N. H. Billings.

Col. George. W. Veale nominated Hon. C. C. Hutchinson for temporary Speaker.

There being no other nominations, Mr. Hutchinson was elected by acclamation.

Mr. De Forrest, of Neosho county, was elected temporary Clerk by acclamation.

Mr. Veale moved that the House now proceed to the election of a Speaker.

Which motion prevailed.

Mr. Scofield nominated the Hon. Josiah Kellogg, of Leav-  
worth county, for Speaker.

Mr. Buchan nominated the Hon. George W. Veale, of  
Shawnee county, for Speaker.

Mr. Veale declining to accept the nomination,

The roll was called with the following result :

Mr. Kellogg received 96 votes.

The following gentlemen voted for Mr. Kellogg :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Ranta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Fields, Forsee, Frazier, Fanston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Heesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Wells and Willets.

Mr. Kellogg having received a majority of all the votes cast, was declared duly elected Speaker of the House of Representatives.

On motion of Mr. Scofield, a committee of three was appointed to conduct the Speaker to the Chair.

The oath of office was then administered to Mr. Kellogg by the Hon. D. M. Valentine, Associate Justice of the Supreme Court.

Mr. Buchan offered the following resolution :

*Resolved*, That the House now proceed to the election of the following officers, and in the order therein named :

Chief Clerk, Assistant Chief Clerk, Sergeant-at-Arms, Assistant Sergeant-at-Arms, Journal Clerk, Enrolling Clerk, Engrossing Clerk, Docket Clerk, Doorkeeper, First and Second Assistant Doorkeepers, Postmaster and five Pages.

Mr. Hutchinson moved to amend the resolution by inserting the word "seven" in lieu of the word "five."

The motion to amend prevailed.

Mr. Veale moved to amend by striking out Second Assistant.

Which motion was lost.

By consent, Speaker *pro tem.* was inserted, and the resolution, as amended, was adopted.

The election of Speaker *pro tem.* being next in order, Mr. Robinson nominated Mr. George W. Veale, of Shawnee county, for Speaker *pro tem.*

There being no other nomination, the roll was called with the following result:

Mr. Veale received 96 votes.

The following gentlemen voted for Mr. Veale:

Messrs. David Adams, D. M. Adams, Allen, Baker, Bacon, Banta, Bateman, Beatty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Fields, Force, Frazier, Funston, Gillespie, Green, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Kellogg, Lane, Langdon, Larkin, Lantier, Legère, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Wells and Willets.

Mr. Veale having received a majority of all the votes cast was declared elected Speaker *pro tem.*

Mr. Crew nominated Capt. A. R. Banks, of Douglas county, for Chief Clerk.

There being no other nomination, the roll was called with the following result:

Mr. Banks received 97 votes.

The following gentlemen voted for Mr. Banks :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wells, Wakefield, Willets and Mr. Speaker, Kellogg.

Mr. Banks having received all the votes cast was declared duly elected Chief Clerk of the House of Representatives.

On motion,

The House adjourned to meet at 3 o'clock P. M.

## AFTERNOON SESSION.

3 o'clock P. M.

House met pursuant to adjournment.

Speaker in the chair.

The following members were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkham, Brown, Buchan, Childs, Cochrane, Crew, Cross, Cummings, Davis, De Forrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Gees, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, J. W. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

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Mr. Mapes nominated Capt. G. C. West, of Labette county, for Assistant Chief Clerk of the House.

Mr. Lanter nominated Mr. J. H. Whitford, of Anderson county, for Assistant Chief Clerk of the House.

The roll was called with the following result:

Mr. West received 54 votes.

Mr. Whitford received 39 votes.

The following gentlemen voted for Mr. West :

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bond, Brinkman, Brown, Curtain, Dillard, Eldridge, Ensign, Fields, Gillespie, Harper, Harvey, Henshaw, Hodges, Hackman, Hungerford, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Larkin, Logan, Lowe, Mapes, McDermott, Morgan, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Sexton, Shaw, Simpson, Spaulding, Stratton, Titus, Tough, Turner, Veale and Willets.

The following gentlemen voted for Mr. Whitford :

Messrs. Bacon, Bishop, Blakely, Bowron, Brenner, Buchan, Childs, Cochrane, Crow, Cummings, Davis, De Forrest, Forsee, Frazier, Eunston, Gregg, Guffey, Hutchings, Lane, Langdon, Lanter, Lowrey, McLean, Miller, Morrison, Motz, Nugent, O'Driscoll, Peck, Searcy, Sellers, Shoemaker, Smith, Snyder, Vickers, Ward, Wakefield and Wells.

Mr. G. C. West having received a majority of all the votes cast was declared duly elected Assistant Chief Clerk of the House of Representatives.

J. M. Matheny was nominated for Sergeant-at-Arms.

There being no other nomination, the roll was called with the following result:

Mr. Matheny received 92 votes.

The following gentlemen voted for Mr. Matheny :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges,

Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Wells, Willetts and Mr. Speaker Kellogg.

Mr. Matheny having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms of the House of Representatives.

Nomination for Assistant Sergeant-at-Arms being next in order, Mr. Larkin nominated John H. Helwig, of Atchison county.

Mr. Veale nominated W. R. McLane, of Shawnee county

Mr. Brown nominated Mr. N. P. Willetts, of Jefferson county.

Mr. Helwig received 47 votes.

Mr. McLane received 32 votes.

Mr. Willetts received 17 votes.

The following named gentlemen voted for Mr. Helwig:

Messrs. David Adams, Allen, Banta, Belden, Bowers, Bowron, Brinkman, Buchan, Cochrane, Crew, Cross, Cummings, Curtain, Davis, Eldridge, Funston, Gillespie, Green, Guffy, Henshaw, Hodges, Hoesman, Hutchinson, James, Jeffrey, Langdon, Larkin, Legere, Lowrey, McDermott, McDonald, Morrison, Motz, Reasoner, Rohrabacher, Ross, Scofield, Searcy, Shaw, Simpson, Snyder, Spaulding, Titus, Tough, Wakefield and Wells.

The following gentlemen voted for Mr. McLane:

Messrs. D. M. Adams, Bacon, Baker, Bateman, Bell, Billings, Bishop, Blakely, Brenner, Childs, Gregg, Harper, Harvey, Hungerford, Hutchings, J. M. Hunter, W. J. Hunter,



Kabler, Kalloch, Lane, Mapes, McLean, Nugent, O'Driscoll, Peck, Robinson, Shoemaker, Stratton, Turner, Veale, Vickers, Ward and Mr. Speaker Kellogg.

The following gentlemen voted for Mr. Willets :

Messrs. Beaty, Bond, Brown, Dillard, Ensign, Fields, Frazier, Lanter, Lowe, Miller, Morgan, Plummer, Sellers, Sexton, Smith and Willets.

- Whole number of votes cast, 96.

No one having a majority, the House proceeded to a second ballot.

Mr. Willett's name was withdrawn in favor of Mr. McLane.

The result was as follows :

Mr. Helwig received 52 votes.

Mr. McLane received 43 votes.

The following gentlemen voted for Mr. Helwig :

✓ Messrs. David Adams, Banta, Belden, Billings, Blakely, Bond, Bowron, Brinkman, Buchan, Cochrane, Crew, Cross, Curtain, Davis, Eldridge, Fields, Forsee, Gillespie, Green, Guffey, Hodges, Hoesman, Hutchinson, W. J. Hunter, James, Jeffrey, Kabler, Langdon, Larkin, Lanter, Legere, Lowrey, McDermott, McDonald, Miller, Morgan, Morrison, Plummer, Reasoner, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Simpson, Smith, Snyder, Spaulding, Titus and Tough.

The following gentlemen voted for Mr. McLane :

Messrs. D. M. Adams, Allen, Bacon, Baker, Bateman, Beaty, Bell, Bishop, Bowers, Brenner, Brown, Childs, Cummings, De Forrest, Dillard, Ensign, Frazier, Funston, Gregg, Harper, Harvey, Hungerford, Hutchings, J. M. Hunter, Lane, Kalloch, Lowe, Mapes, McLean, Motz, Nugent, O'Driscoll, Peck, Robinson, Shoemaker, Stratton, Turner, Veale, Vickers, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

Mr. Helwig having received the majority of all the votes cast, was declared duly elected.

Nominations for Journal Clerk of the House of Representatives being next in order,

Mr. McDermott nominated Wirt W. Walton, of Cowley county, for Journal Clerk.

There being no other nominations, the roll was called with the following result:

Mr. Walton received 95 votes.

The following gentlemen voted for Mr. Walton:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffey, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Turner, Veale, Vickers, Ward, Wells, Wakefield, Weaver, Willets and Mr. Speaker Kellogg.

Mr. Walton having received all the votes cast, was declared duly elected Journal Clerk of the House of Representatives.

Nominations for Enrolling Clerk being next in order,

Mr. W. E. Towner was nominated.

Mr. Robinson nominated Miss Lizzie Els, of Lyon county, for Enrolling Clerk.

Mr. O'Driscoll nominated Mr. George Dudley for Enrolling Clerk.

The roll was called with the following result:

Miss Lizzie Ela received 85 votes.

Mr. W. E. Towner received 7 votes.

Mr. George Dudley received 1 vote.

The following gentlemen voted for Miss Ela :

Messrs. D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Hoesman, Hungerford, Hutchings, Hutchison, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowry, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Peck, Plummer, Reasoner, Robinson, Rohrbacher, Ross, Scofield, Searcy, Sexton, Shaw, Shoemaker, Simpson, Smith, Spaulding, Titus, Turner, Veale, Vickers, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

The following named gentlemen voted for Mr. W. E. Towner:

Messrs. David Adams, Bishop, Forsee, W. J. Hunter, Sellers and Snyder.

Mr. O'Driscoll voted for Mr. Dudley.

Miss Lizzie Ela having received a majority of all the votes cast, was declared duly elected Enrolling Clerk of the House of Representatives.

Nominations for Engrossing Clerk being next in order,

Mr. Eldridge nominated Miss Emma Bristol, of Humboldt, Allen county, for Engrossing Clerk.

Mr. Lane nominated Miss Jennie Crowe, of Lyon county, for Engrossing Clerk.

The roll was called with the following result:

Miss Bristol received 85 votes.

Miss Crowe received 10 votes.

The following gentlemen voted for Miss Bristol:

Messrs. David Adams, Allen, Bacon, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Cochrane, Crew, Cross, Cummings, Curtain, Davis, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, W. J. Hunter, James, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Rohrbacher, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

The following gentlemen voted for Jennie Crowe:

Messrs. D. M. Adams, Baker, Childs, DeForrest, J. M. Hunter, Jeffrey, Langdon, McLean, Robinson, Ross and Willets.

Miss Emma Bristol having received a majority of all the votes cast was declared duly elected Engrossing Clerk of the House of Representatives.

Nominations for Docket Clerk being next in order.

Mr. Miller nominated Wm. P. Ames, of Johnson county.

Mr. Adams nominated Mr. C. E. Hamilton.

Mr. Smith nominated J. W. Grant.

Mr. DeForrest nominated D. R. Bradt.

The roll was called with the following result:

Mr. Ames received 40 votes.

Mr. C. E. Hamilton received 12 votes.

Mr. Grant received 16 votes.

Mr. Bradt received 27 votes.

The following gentlemen voted for Mr. Ames :

Messrs. David Adams, Allen, Belden, Bishop, Blakely, Bond, Bowron, Brenner, Brinkman, Buchan, Cochrane, Cummings, Curtain, Davis, Fields, Funston, Green, Harper, Hoesman, Hutchinson, J. M. Hunter, James, Kahler, Kalloch, Lane, Lowrey, Mapes, McDonald, Miller, Morrison, Motz, O'Driscoll, Peck, Searcy, Sexton, Shoemaker, Tough, Wakefield, Wells and Mr. Speaker Kellogg.

The following gentlemen voted for Mr. Hamilton :

Messrs. D. M. Adams, Baker, Ensign, Gillespie, Gregg, Hodges, W. J. Hunter, Jeffrey, Larkin, McLean, Snyder and Veale.

The following gentlemen voted for Mr. Grant :

Messrs. Beaty, Bateman, Bell, Brown, Crew, Dillard, Eldridge, Frazier, Guffy, Henshaw, Hungerford, Lanter, Lane, Nugent Reasoner and Willets.

The following gentlemen voted for Mr. Bradt :

Messrs. Bacon, Banta, Bowron, Childs, Cross, De Forrest, Forsee, Harvey, Hutchings, Langdon, Legere, McDermott, Morgan, Plummer, Robinson, Rohrabacher, Ross, Scofield, Sellers, Shaw, Smith, Spaulding, Stratton, Vickers, Turner, Ward and Wells.

No person having received a majority, the roll was again called with the following result :

Mr. Ames received 47 votes.

Mr. Hamilton received 10 votes.

Mr. Grant received 16 votes.

Mr. Bradt received 20 votes.

The following gentlemen voted for Mr. Ames :

Messrs. David Adams, Allen, Bishop, Blakely, Bond, Brenner, Brinkman, Buchan, Cochrane, Cooper, Cummings, Curtain, Davis, Dillard, Forsee, Funston, Green, Guffy, Harper, Harvey, Hoesman, Hutchinson, J. M. Hunter, James,

Kahler, Kalloch, Lane, Lowrey, Mapes, McDonald, Miller, Morrison, Motz, O'Driscoll, Peck, Reasoner, Robinson, Rohrabacher, Searoy, Sexton, Shoemaker, Titus, Tough and Wakefield.

The following gentlemen voted for Mr. Hamilton.

Messrs. D. M. Adams, Baker, Ensign, Gregg, Hodges, Jeffrey, McLean, Snyder, Veale and Weaver.

The following gentlemen voted for Mr. Grant:

Messrs. Bateman, Beaty, Bell, Brown, Crew, Frazier, Henshaw, Hungerford, Lanter, Sellers, Simpson, Stratton and Ward.

The following gentlemen voted for Mr. Bradt:

Messrs. Bacon, Banta, Bowron, Childs, Cross, DeForrest, Eldridge, Gillespie, Hutchings, Langdon, Larkin, Legere, McDermott, Morgan, Nugent, Plummer, Rosa, Scofield, Shaw, Smith, Spaulding, Turner, Vickers, Wells and Willets.

Mr. Ames having received a majority of all the votes cast was declared to be duly elected Docket Clerk of the House of Representatives.

Mr. Crew offered the following resolution:

*Resolved*, That Rev. Walter Oakley, of Topeka, be requested to act as Chaplain of this House until otherwise ordered.

Which resolution was lost.

The following named ladies came forward and subscribed the following oaths:

STATE OF KANSAS, }  
SHAWNEE COUNTY. } ss.

I, Mary E. Dunn, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas, and that I will truly and faithfully

discharge the duties of Assistant Engrossing Clerk of the House of Representatives.

MARY E. DUNN.

Sworn to and subscribed before me this the fourteenth day of January, A. D. 1873.

JOSIAH KBLLOGG,  
*Speaker of the House of Representatives.*

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STATE OF KANSAS, } ss.  
SHAWNEE COUNTY, }

I, Emma R. Bristol, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas, and that I will truly and faithfully discharge the duties of Engrossing Clerk of the House of Representatives, to which I have been elceted.

EMMA R. BRISTOL.

Subscribed and sworn to before me this the fourteenth day of January, A. D. 1873.

JOSIAH KELLOGG,  
*Speaker of the House of Representatives.*

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STATE OF KANSAS, } ss.  
SHAWNEE COUNTY. }

I, Lizzie Ela, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas, and that I will truly and faithfully discharge the duties of Enrolling Clerk of the House of Representatives, to which I have been elected.

LIZZIE ELA.

Subscribed and sworn to before me this the fourteenth day of January, A. D. 1873,

JOSIAH KELLOGG,  
*Speaker of the House of Representatives.*

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On motion,

The House adjourned to meet at 10 o'clock A. M., Monday, January 15, 1873.

A. R. BANKS,  
*Chief Clerk.*

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MORNING SESSION.

WEDNESDAY, JANUARY 15, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

The following members were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoelman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowray, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough,



Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Oakley.

The Journal of yesterday was read and approved.

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Mr. Scofield offered the following resolution :

*Resolved*, That the House do now proceed to select seats by counties, in the following manner :

The Clerk shall take slips of paper containing the names of each county, and put them in a hat, and after shaking them together, shall draw therefrom one slip at a time, and announce the name of the county written thereon, whereupon the members from that county shall proceed to choose their seats for the session, and while the selections are being made, all the seats in the Hall shall be vacated.

Mr. Gillespie moved to amend by inserting :

"The members keep the seats they now occupy."

Mr. Baker offered the following amendment to the amendment :

"That immediately upon the opening of the afternoon session, the members of this House proceed to select their seats by delegations in the following manner :

"The Chief Clerk shall take slips of paper containing the names of each county and put them in a hat, and after shaking them promiscuously together, shall draw therefrom one slip at a time, and announce the name of the county written thereon, when the members from that county shall proceed to choose thier seat for the session. And during the time of the drawing, the Hall shall be vacated by every person except the officers of the House and Reporter, and as each county is drawn, it shall be announced at the door, and the members from that county shall enter and select their seats."

Mr. D. M. Adams moved to postpone action until after the House is organized.

Which motion prevailed.

Mr. Spaulding offered the following resolution :

*Resolved*, That the rules of the last House shall govern the proceedings of this House until otherwise ordered.

Which resolution was adopted.

On motion of Mr. Veale,

The House proceeded to the election of Doorkeeper.

Mr. Crew nominated John Davis.

Mr. Harvey nominated George E. Brown, of Johnson county.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform your honorable body that the Senate has organized by the election of George C. Crowther, of Neosho county, Secretary, and George W. Findlay, of Bourbon county, Sergeant-at-Arms, and is now ready to proceed with business.

GEORGE C. CROWTHER,  
*Secretary.*

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Mr. W. H. Woodward was nominated for Doorkeeper.

Mr. Veale nominated Judge Williams, of Topeka.

Mr. Robinson nominated Mr. J. Ruble.

The roll was called with the following result :

Mr. Woodward received 16 votes.

Mr. Williams received 9 votes.

Mr. J. Ruble received three votes.

Mr. Davis received 15 votes.

Mr. George E. Brown received 53 votes.

The following gentlemen voted for Mr. Woodward.

Messrs. D. M. Adams, Banta, Bishop, Davis, Gillespie, Hutchinson, Morrison, O'Driscoll, Shaw, Snyder, Spaulding, Weaver and Wells.

The following gentlemen voted for Mr. Davis :

Messrs. Baker, Bell, Brinkman, Crew, Eldridge, Funston, Henshaw, Hoesman, Hungerford, Kalloch, Lanter, Lowe, Nugent and Peck.

The following gentlemen voted for Mr. Williams:

Messrs. Bateman, Blakely, Cross, Cummings, Curtain, Gregg, Hutchings, Kahler, McLean and Scofield.

The following gentlemen voted for Mr. Ruble :

Messrs. J. M. Hunter, Jeffrey and Robinson.

The following gentlemen voted for Mr. Brown :

Messrs. David Adams, Bacon, Beaty, Belden, Billings, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, De Forrest, Dillard, Ensign, Fields, Forsee, Frazier, Green, Guffey, Harper, Harvey, Hodges, W. J. Hunter, James, Lane, Langdon, Larkin, Lowrey, Mapes, McDermott, McDonald, Motz, Plummer, Reasoner, Rohrabacher, Ross, Searcy, Sellers, Sexton, Shoemaker, Simpson, Smith, Stratton, Titus, Tough, Turner, Vickers, Ward, Wakefield, Willets and Mr. Speaker Kellogg.

Mr. Brown having received a majority of all the votes cast, was declared duly elected Doorkeeper of the House of Representatives.

Mr. Rohrabacher offered the following resolution :

*Resolved*, That the members of the House be furnished with the rules of the House for 1872.

Which resolution was adopted.

Nominations for First Assistant Doorkeeper being next in order,

Mr. Hutchings moved to suspend the rules to elect First and Second Assistant Doorkeepers at the same time, the person having the greatest number of votes to be the First, and the one receiving the next highest vote, to be the Second Assistant Doorkeeper.

Which motion prevailed.

Mr. Lowe nominated A. H. McWhorter.

Mr. Reasoner nominated D. C. Williams.

Mr. Langdon nominated W. W. Paul.

Mr. Beaty nominated J. W. Edwards.

Mr. Lanter nominated J. W. Vaughn.

Mr. Cross nominated A. Hines.

Mr. Gregg nominated Will Lowe.

Mr. Sellers nominated Michael Finn.

Mr. Stratton nominated W. E. Towner.

Mr. J. J. Rambo was nominated.

The roll was called with the following result:

Mr. McWhorter received 64 votes.

Mr. Williams received 51 votes.

Mr. Paul received 12 votes.

Mr. Edwards received 21 votes.

Mr. Vaughn received 6 votes.

Mr. Hines received 21 votes.

Mr. Lowe received 0 votes.

Mr. Finn received 2 votes.

Mr. Towner received 5 votes.

Mr. Rambo received 14 votes.

The following gentlemen voted for Mr. McWhorter :

Messrs. David Adams, D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Bond, Bowron, Brinkman, Brown, Buchan, Cooper, Crew, Cummings, Davis, Dillard, Eldridge, Ensign, Fields, Frazier, Funston, Gillespie, Guffy, Harper, Henshaw, Hodges, Hoesman, Hutchings, J. M. Hunter, James, Jeffrey, Kalloch, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McLean, Miller, Morgan, Morrison, Nugent, Peck, Plummer, Robinson, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Sayder, Titus, Turner, Veale, Vickers, Ward and Wells.

The following gentlemen voted for Mr. Williams :

Messrs. Allen, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Buchan, Cooper, Cross, Curtain, Dillard, Fields, Forsee, Frazier, Funston, Gregg, Guffa, Harper, Harvey, Hodges, Hutchinson, W. J. Hunter, James, Kahler, Larkin, Lowe, Maes, McDermott, Miller, Morgan, Morrison, Motz, O'Driscoll, Peck, Plummer, Reasoner, Rohrabacher, Spaulding, Stratton, Tough, Weaver, Willets and Mr. Speaker, Kellogg.

The following gentlemen voted for Mr. Paul :

Messrs. Billings, De Forrest, Green, Harvey, Jeffrey, Langdon, McDonald, McLean, Rohrabacher, Searcy, Snyder and Vickers.

The following gentlemen voted for Mr. Edwards :

Messrs. Banta, Bateman, Beaty, Bowers, Brinkman, Davis, Ensign, Gillespie, Henshaw, Hoesman, Hungerford, Lane, Logan, Lowrey, Motz, Smith, Ward and Mr. Speaker Kellogg.

The following gentlemen voted for Mr. Vaughn :

Messrs. Crew, Cummings, Green, Lanter, Nugent and

The following gentlemen voted for Mr. Hines :

Messrs. Allen, Brenner, Childs, Cochrane, Cross, De Forrest, Eldridge, Hutchinson, Kalloch, Lane, Langdon, McDonald, O'Driscoll, Reasoner, Scofield, Sellers, Sexton, Titus, Tough, Wakefield, Weaver and Willets.

Mr. Brown voted for Mr. Finn,

The following gentlemen voted for Mr. Towner :

Messrs. Blakely, Forsee, Kahler, Simpson and Stratton.

The following gentlemen voted for Mr. Rambo :

Messrs. David Adams, D. M. Adams, Bacon, Childs, Curtain, Gregg, Hungerford, Hutchings, J. M. Hunter, W. J. Hunter, McDermott, Robinson, Spaulding and Turner.

Nominations for Postmaster being next in order.

Mr. D. M. Adams nominated Mr. Samuel Ridges, of Topeka.

Mr. Lowe nominated Mrs. Beebe.

Mr. Sellers nominated Joel Mussulman.

Mr. Gillespie nominated W. H. Cutter.

Mr. Buchan nominated R. B. Armstrong.

Mr. Searcy nominated W. B. Crawford.

Mr. Veale nominated D. J. Baxter.

The roll was called with the following result :

Mr. Ridges received 9 votes.

Mrs. Beebe received 28 votes.

Mr. Mussulman received 13 votes.

Mr. Cutter received 13 votes.

Mr. Armstrong received 22 votes.

Mr. Crawford received 11 votes.

Mr. Baxter received 0 votes.

The following gentlemen voted for Mr. Ridges :

Messrs. David Adams, D. M. Adams, Billings, Ensign, Guffey, Hutchinson, Morgan, Plummer and Reasoner.

The following gentlemen voted for Mr. Beebe :

Messrs. Bacon, Bateman, Bond, Brenner, Brown, Cooper, Crew, Green, Harper, Henshaw, Hodges, Hutchings, Jaffrey,

Kalloch, Lanter, Lowe, Mapes, Nugent, Peck, Sexton, Shoemaker, Simpson, Spaulding, Titus and Vickers.

The following gentlemen voted for Mr. Mussulman :

Messrs. Allen, Beaty, Childs, Cochrane, Gregg, Lane, McDermott, McLean, O'Driscoll, Sellers, Smith and Wells.

The following gentlemen voted for Mr. Cutter :

Messrs. Banta, Bowron, Bishop, Brinkman, Davis, Forsee, Gillespie, Larkin, Legere, Morrison, Scofield, Snyder and Stratton.

The following gentlemen voted for Mr. Crawford :

Messrs. Blakely, Bowers, Cummings, Hungerford, J. M. Hunter, W. J. Hunter, Langdon, Robinson, Searcy, Turner and Willets.

The following gentlemen voted for Mr. Armstrong :

Messrs. Belden, Bell, Buchan, Curtain, De Forrest, Dilard, Eldridge, Fields, Harvey, Hoesman, James, Kahler, Lowrey, McDonald, Miller, Motz, Rohrabacher, Tough, Wakefield, Weaver and Mr. Speaker Kellogg.

There being no election, the House proceeded to a second ballot.

Mr. Crawford withdrew in favor of Mr. Armstrong.

The roll being called with the following result :

Mr. Radges received 1 vote.

Mrs. Beebe received 30 votes

Mr. Mussulman received 2 votes.

Mr. Cutter received 7 votes.

Mr. Armstrong recieved 57 votes.

Mr. Billings voted for Mr. Radges.

The following gentlemen voted for Mrs. Beebe :

Messrs. Bacon, Bateman, Bell, Bond, Brenner, Brown, Childs, Cooper, Crew, Gregg, Green, Harper, Henshaw, Hodges, Hutchings, Jeffrey, Kalloch, Langdon, Lowe, Mapes,

McLean, Peck, Sexton, Shoemaker, Simpson, Spaulding, Titus, Vickers and Ward.

The following gentlemen voted for Mr. Mussulman :

Messrs. Bowers and Bowron.

The following gentlemen voted for Mr. Cutter :

Messrs. Banta, Bishop, Forsee, Legere, Morrison, O'Driscoll, Shaw and Stratton.

The following gentlemen voted for Mr. Armstrong :

Messrs. David Adams, D. M. Adams, Allen, Baker, Beaty, Belden, Blakely, Brinkman, Buchan, Cochrane, Cross, Cummings, Curtain, De Forrest, Dillard, Eldridge, Ensign, Fields, Frazier, Eunston, Gillespie, Guffey, Harvey, Hoesman, Hungerford, Hutchinson, J. M. Hunter, W. J. Hunter, James, Kahler, Lane, Larkin, Lanter, Lowrey, McDermott, McDonald, Miller, Morgan, Motz, Plummer, Reasoner, Robinson, Rohrabacher, Scofield, Searcy, Sellers, Smith, Snyder, Tough, Turner, Veale, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Mr. Armstrong having received a majority of all the votes cast was declared duly elected Postmaster of the House of Representatives.

Mr. Harvey offered the following resolution :

*Resolved*, That in electing Pages, members will write the names of seven Pages on a ticket, and as their names are called, rise and read the names aloud.

Mr. Baker offered the following amendment :

That in electing Pages, each member shall vote at the same time for seven different persons, and that the seven persons receiving the highest number of votes shall be declared elected.

Which, on motion, was adopted

Nominations for Pages being next in order,

The following named persons were nominated :



Emma Bragg, A. Melton Cunning, Mary Fletcher, Chas. West, Neddie Hosmer, Jennie Maxwell, Sam Adams, D. M. Brown, Fred A. Childs, C. H. Wakefield, Jennie Comstock, Nattie Walker, Hattie Butler, Charles Carey, Thos. W. Pate, Jessie E. Douglass, Harry Flower, Carrie Dennie, Grove Crawford, Chas. A. Robinson, Tunnell, Chas. R. Knights, Charlie Kempton, John L. Washburne, John Smith, Frank C. Hunt, Sarah E. Marshall, Jennie Griffith, Nettie Ward, James Heald.

The roll was called with the following result:

Miss Bragg received 69 votes.

Mr. Cunning received 39 votes.

Miss Fletcher received 51 votes.

Mr. West received 34 votes.

Mr. Hosmer received 50 votes.

Miss Maxwell received 60 votes.

Mr. Adams received 15 votes.

Mr. Brown received 21 votes.

Mr. Childs received 39 votes.

Mr. Wakefield received 52 votes.

Miss Comstock received 38 votes.

Miss Walker received 34 votes.

Miss Butler received 44 votes.

Mr. Carey received 13 votes.

Mr. Pate received 21 votes.

Mr. Douglass received 14 votes.

Mr. Flower received 24 votes.

Miss Dennie received 16 votes.

Mr. Crawford received 8 votes.

Mr. Robinson received 1 vote.

Mr. Tunnell received 7 votes.

Mr. Knight received 15 votes.

Mr. Kempton received 1 vote.

Mr. Washburne received 2 votes.

Mr. Smith received 6 votes.

Mr. Hunt received 3 votes.

Miss Marshall received 2 votes.

Miss Griffith received 1 vote.

Miss Ward received 1 vote.

Mr. Heald received 1 vote.

Pending the announcement of the result, the House adjourned till 10 o'clock to-morrow.

A. R. BANKS.

*Chief Clerk.*

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### MORNING SESSION.

THURSDAY, JANUARY 16, 1873, 10 o'clock A. M.

House met pursuant to adjournment.

Speaker in the chair.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bishop, Bond, Bowers, Bowron, Brenner, Brinkham, Brown, Buchan, Childs, Cochran, Cooper, Crew, Cross, Cummings, Curtain, Davis, De

Forrest, Eldridge, Ensign, Fields, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kabler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Robinson, Rohrabacher, Ross, Scofield, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Baldrige.

Journal of previous day read and approved.

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The following persons having received the highest number of votes were declared duly elected Pages of the House of Representatives :

Emma Bragg, Mary Fletcher, C. H. Wakefield, Jennie Maxwell, Hattie Butler, Neddie Hosmer.

On motion,

Fred A. Childs and A. Milton Cuning were declared elected Pages.

Pages came forward and were duly sworn in by the Speaker.

Also the Clerks, Doorkeepers, and other officers of the House not previously sworn.

Mr. Lanter offered the following resolution :

*Resolved*, That the Chief Clerk be directed to inform the Senate that the House of Representatives is now organized by the election of Hon. Josiah Kellogg as Speaker, A. R. Banks Chief Clerk, and J. M. Matheny Sergeant-at-Arms, and is now ready to proceed to business.

Mr. Langdon was granted leave of absence for fifteen days.

Mr. Cutter, Representative from Ford county, came forward and was sworn in by the Speaker.

Mr. Baker offered the following resolution:

*Resolved*, That a committee of three be appointed by the Speaker to act with a like committee on the part of the Senate, to inform the Governor that both Houses are organized and are ready to receive any communication he may have to transmit.

Mr. Titus moved to admit those exceeding one hundred, claiming the right to seats upon this floor.

Mr. Veale presented the petition of Samuel Rodgers:

*To the Speaker of the House of Representatives:*

The undersigned, Samuel G. Rodgers, an elector of the county of Pawnee, respectfully represents that at the general election held in said Pawnee county, on the fifth day of November A. D. 1872, the undersigned being such elector, received one hundred and eight votes in said county for the office of Representative in the Legislature, and that Henry Booth received thirty-five votes at said election in said county for the office of Representative in the Legislature; that your petitioner received seventy-three more votes for said office than the said Henry Booth; your petitioner therefore prays that the Honorable House of Representatives may inquire into the qualifications, returns and election of your petitioner, to the end that justice may be done, and that your petitioner may be admitted to a seat in the House of Representatives, and this your petitioner will ever pray as in duty bound.

S. G. RODGERS.

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STATE OF KANSAS, } ss.  
 SHAWNEE COUNTY.

Samuel G. Rodgers, of lawful age, who being duly sworn,

deposes and says that the facts stated in the foregoing petition are true, as he is informed and believes.

S. G. RODGERS.

Subscribed and sworn to before me this fifteenth day of January, 1873.

JOHN GUTHRIE,  
*Notary Public.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has appointed a committee of three to act with a like committee on the part of the House, to wait upon His Excellency, the Governor, and inform him that the Legislature is now organized and ready to receive any communication he may have to make.

Committee on the part of the Senate:

Messrs. V. P. Wilson, Crichton and Moonlight.

GEO. C. CROWTHER,  
*Secretary.*

Committee appointed on the part of the House:

Messrs. Bacon, Scofield and Lane.

Mr. Hutchings moved that the whole subject in reference to the admission of extra members be referred to a Special Committee of five.

Mr. Bacon, of committee on the part of the House to wait on the Governor, made the following report:

MR. SPEAKER: Your Special Committee on the part of the House, appointed to wait upon the Governor, to inform him of the organization of the Legislature, and having, in connection with the committee on the part of the Senate,

discharged their duty, would respectfully report that His Excellency will send in his Annual Message at an early hour.

FRANK BACON,

*Chairman.*

C. I. SCOFIELD,

LANE,

Report received and committee discharged.

Mr. Veale moved to amend Mr. Hutching's motion to refer the subject to the Committee on Elections.

Which motion, as amended, prevailed.

The following Message and accompanying documents, by Private Secretary, were received from the Governor, and, by unanimous consent, were taken up and read by the Chief Clerk:

MESSAGE.

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*To the Legislature of Kansas :*

Section 5, Article I, of the Constitution provides that the Governor "shall, at the commencement of every session of the Legislature, communicate, in writing, such information as he may possess in reference to the condition of the State, and recommend such measures as he may deem expedient." In pursuance of this provision the following is submitted :

Our State has now completed its first decade. We were admitted into the Union in 1861, after a long conflict on our own soil, and just as the arena of that conflict was becoming as wide as the Federal Union. While the National war lasted, Kansas contributed more largely of her sons than any other State in the Union, but never forgot to grow. The first full reports made by our State officers were for the year 1862, and it will be instructive for us to make a brief comparison between the statistics of that year and the year which has just closed.

The total value of all the taxable property in the State, in 1862, was \$19,285,749. In 1872, it was \$127,690,937.13. In 1862, there were 534 organized school districts; in '72, there were 3,418. In '62, the number of children of school age was 13,976; in '72, the number was 165,982. The number of teachers in the former year was 319; in the latter 3,795. The amount paid to teachers, in '62 was \$14,009; in '72, it was \$596,611. The amount raised by district tax, in '62, was \$10,381; in '72, it was \$822,644. The total value of

our school houses, in '62, was \$10,432; in '72, it was \$2,845,262. The whole number of votes cast, in 1862, was 15,418; in '72, the number was 101,488. In 1862, we had no Asylums for the Deaf and Dumb, none for the Blind and none for the Insane. We had no State University, no Agricultural College, no Normal Schools, no Penitentiary, and no State Capitol. In 1862, not a mile of Railroad was in operation in the State. Now we have 2,039 miles in actual operation, while several new roads are in process of construction. Kansas has more miles of Railroad than either of the twenty-six States named below: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, West Virginia, Wisconsin, Minnesota, Virginia, North Carolina, South Carolina, Florida, Alabama, Mississippi, Louisiana, Texas, Kentucky, Tennessee, Arkansas, California, Oregon, and Nevada. Of all the Southern States which opposed the admission of Kansas into the Union, only one, Georgia, has more miles of Railroad. She exceeds us but sixty-nine miles and will not lead us many weeks longer.

The vote of 1870, and the census of that year, taken several months prior to the election, establish that our population averages at least six persons to each voter. Our last vote was 101,488, which makes our present population 608,928; an increase since 1862 of half a million of people. When the Republic is one hundred years old, in 1876, our population will exceed one million.

Our vote at the late election was larger than the vote of either of the States of Maine, New Hampshire, Vermont, Connecticut, Rhode Island, Arkansas, Delaware, Florida, Nebraska, Nevada, Oregon, South Carolina, West Virginia, California or Minnesota—larger than the vote of any New England States except Massachusetts, and larger than the combined vote of Nebraska, Delaware, Nevada, Rhode Island and Oregon.

It is to be observed that while every county in the State exhibits a healthy and rapid growth, the largest accessions have been made in new counties, open to actual settlers, but not to the speculators in real estate. Congress, in opening



the Osage Lands for settlement, wisely provided that they should be sold only to actual settlers. It is less than three years since the Indian title was extinguished, and there is now a farmer on nearly every quarter section in that portion of our State. As instances of rapid growth, Montgomery and Howard counties may be cited. The vote of Montgomery county at the late election was 3,357, indicating a population of 19,482. The vote of Howard county was 2,670, showing a population of 17,020. In the western part of the State where the land has been open to settlement under the very just provisions of the Homestead law, our growth has also been very rapid, and the new counties are fast becoming populous and strong.

The policy of granting land only to actual settlers is now almost universally admitted to be the only wise and just course, and it is believed that we have seen the last of the attempts to create a monopoly in land.

The progress of the State in the different branches of manufactures is not less a subject for congratulation. Our immense coal deposits are being opened and used in building up manufacturing enterprises within our own borders. Advantage has been taken of the water power afforded by many of our rivers, and mills driven by that power are now found in various parts of the State. All of these enterprises are now in their infancy, but it is already manifest that the time is near at hand when most of the articles used by our citizens, and now manufactured elsewhere, will be produced here, and by home industry.

#### FINANCES.

The bonded indebtedness of the State is \$1,336,675. The outstanding State warrants amount to \$201,109.04. There is also outstanding of Territorial warrants \$7,142.73. These three items comprise the total indebtedness of the State. The sinking fund in the Treasury at the end of the fiscal year, for the payment of the bonded debt, amounted to \$135,527.34, of which \$119,800 is invested in the bonds of the State. There was in the Treasury on the thirtieth of Novem-

ber, for general purposes, \$371.59. The total tax levied for revenue last year was \$1, 085,372.95, of which \$829,991.08 was for general purposes. The payments into the Treasury during the present month will probably furnish a sufficient amount of money to redeem the outstanding State warrants and to meet current expenses.

A frugal administration of the affairs of Government is urgently demanded. The great scarcity of money makes this demand imperative. I urge upon you a careful examination of the laws, with a view of doing away with every unnecessary expense, and you should rigidly scrutinize all measures requiring the expenditure of money.

With proper economy the levy of this year, for general purposes, need not exceed three mills on the dollar.

#### OUR PUBLIC SCHOOLS.

The report of the Superintendent of Public Instruction continues to be one of our most valuable and important public documents. The schools of the State are in a very flourishing condition, and the interest of the people in the cause of education suffers no abatement. The schools of Kansas are as great an attraction to the immigrant, and furnish as strong an inducement for him to settle here as the cheapness of our land, the fertility of the soil and the salubrity of the climate. Our people take pleasure in placing upon their shoulders the burden of building good school houses and sustaining the best schools. It is the one tax which all Kansans pay without objection. The permanent school fund of the State now amounts to \$759,095.99 This fund is mainly derived from the sale of School Lands, and is invested in Kansas State bonds and in School District bonds. The increase of school districts during the year has been 772 ; of the number of children of school age 23,624 ; of teachers 717 ; in the number of school houses 669 ; in the value of school houses \$820,668. The total amount received from various sources for the public schools is \$1,701,950.

In disposing of our School Lands, would it not be well

for us to set an example for the General Government and make sales only to actual settlers?

#### STATE UNIVERSITY.

The report of the Chancellor shows that the State University is in a prosperous condition. The number of students last year was 253. The estimated cash value of the property of the institution is \$224,000, exclusive of 46,080 acres of land donated by the General Government for an endowment fund. The amount expended on the new building is \$138,500. This structure is believed to be the best college building which has ever been erected in our country. The money appropriated has been wisely and economically expended. The addition of a law and medical department is now in contemplation, and it is evident that our University will soon take rank with the first institutions of learning in the Union.

#### AGRICULTURAL COLLEGE.

The President reports a rapid increase in the number of students, the whole number being 447, against 293 for the previous year. Twenty-seven counties of the State have been represented during the year. Students have also been present from Colorado, Iowa, Illinois, Maryland, Missouri, Nebraska, Ohio and Texas. The President states as among the immediate wants of the college, a new building, the cost of which will be \$100,000.

The Treasurer of the college reports interest bearing securities in his hands amounting to \$80,298.56; cash on hand, \$7,545.19. These sums are realized from the sale of land donated by Congress and belonging to the endowment fund of the college.

The reports of the different officers of the institution, accompanying the report of the Board of Regents, are unusually instructive and valuable.

#### NORMAL SCHOOLS.

The number of students enrolled within the year in the State Normal School at Emporia, was 190. The President reports the completion of the new school building provided

for by the appropriation of last year. It is a commodious and elegant structure, and well adapted to the wants of this popular institution of learning.

The Leavenworth Normal School is also in a very prosperous condition. The number of students enrolled during the year was 65. The Principal asks an additional appropriation for four more teachers, one of drawing, and one of physical science, and two assistants.

The Normal Schools seem to be well managed and are doing good service to the State in producing competent teachers for the young.

#### INSANE ASYLUM.

The Trustees of the Insane Asylum report 103 persons in the Asylum. They say the "capacity of the institution has been crowded to its utmost limits, and that not more than one half of the applicants have been admitted for want of room." They recommend the erection of a center building, with two wings, which will accommodate one hundred persons, and ask for the appropriation of \$100,000.

From a personal inspection of the Asylum, I am convinced that the present building is entirely inadequate to the wants of the State. The insane are the most unfortunate class of society, and it is our duty to see that they are properly cared for, and such additions to the building as are necessary to secure this end should be made.

#### BLIND ASYLUM.

The Superintendent reports that the past year has been one of general prosperity to the institution. The current expenses for the year were \$10,100, and the Superintendent estimates that the expenses for the present year will be \$13,490.

#### DEAF AND DUMB ASYLUM.

The Deaf and Dumb Asylum, at Olathe, seems to be an admirably conducted institution. There have been 68 pupils enrolled during the past year. There are 65 now in attendance, being an increase of 17 during the year. This is the sixth year of its establishment as a State Asylum. The

Trustees in their report, strongly urge an appropriation for the erection of an additional building. From a personal inspection recently made, I learned the inadequacy of the present accommodations.

#### PENITENTIARY.

The report of the Directors of the Penitentiary shows that there are confined therein 333 prisoners, and that 159 of them had been received during the past year. The rapid increase in the population of the State brings with it a corresponding increase in subjects for the Penitentiary. The demand is already imperative for an increase of the capacity of the prison, and I recommend that measures be taken to speedily complete the south wing. All the available force of the prison should be used on this work.

Complaint has been made that the labor at the Penitentiary has been brought into competition with the labor of the mechanics of the State. The report of the Warden shows that a part of the Penitentiary force has been engaged in the manufacture of carriages, buggies and wagons, and in making repairs. The institution pays no taxes, and its capital is furnished by the State. It is apparent that honest mechanics and artisans would be driven from the State by such competition. As a remedy for this evil, other States have provided that convict labor should be employed in the production of common articles requiring little mechanical skill. This course has, also, proved profitable, and the institutions are fast becoming self-sustaining.

#### REFORM SCHOOL.

Nearly all the States have found it necessary to establish institutions for the punishment and reform of juvenile offenders. The system of associating boys and girls, guilty often of only slight offences, with old and hardened criminals, has been found to be false and wrong, inasmuch as it confirms the young in their evil courses instead of reforming them and preparing them for lives of usefulness. The records of the various Penitentiaries show that very few convicts

have any knowledge of mechanical labor. They have not been apprentices, and have never learned a trade. A large proportion of them can neither read nor write. Of the 159 persons committed to the Penitentiary last year, there were ninety-three convicts under the age of twenty-five years. A lack of education and of moral training in early life is the most fruitful source of crime. Is it surprising that these waifs, whose early training has been such as to make them have little regard for the rights of others, in property which they may covet, should soon find themselves in the clutches of the law? It is from this class that our criminals are made. Thrown into prison, they become the associates of those who are graduates in crime. It is these young violators of the law, who are just starting on a downward career, whom I ask you to make an effort to save. Let them be taught how to read and how to work; that labor is honorable and the means by which they are to gain an honest livelihood. Give them that moral instruction which every child should have, and send them into the world as the aiders and helpers of good men and good causes, instead of obstructions to the progress of humanity.

The necessity for a Reform School is very urgent, and you should at once provide for its organization. The question has been agitated for some years, and there is no longer any difference of opinion as to the necessity for such an institution.

#### PUBLIC INSTITUTIONS AND BUILDINGS.

The laws regulating the public Institutions of the State are not uniform, and are defective. Section 2, Article XV, of the Constitution, provides that the Legislature shall not create any office the tenure of which shall be longer than four years. The Trustees of the Insane Asylum, three in number, now hold their office for six years. No tenure whatever is fixed to the office of the Commissioners of the State House. The Trustees of the Deaf and Dumb Asylum, five in number, hold their offices for two years. The Trustees of the Blind Asylum, three in number, hold their offices

for three years. The salaries of the officers of some of the Institutions, and their respective duties are fixed by law, while in the case of others, there are no provisions whatever. The act relating to the Penitentiary provides for the appointment of an Architect by the Governor, and also by the Board of Directors.

I recommend a general reorganization of these Institutions; that the terms of their officers be uniform, and that their duties and salaries be defined by law.

Those in charge of most of our public Institutions ask for appropriations for the erection and extension of buildings. While we ought not to be niggardly or parsimonious in providing for the support and enlargement of these Institutions, it will be your duty to see that strict economy is observed in all public expenditures. Heretofore measures for aid to the State Institutions have been regarded as local in their character, and, by a combination of interest, large appropriations have been made. This policy is clearly wrong. While the interest taken in the various Institutions, by the people in their respective localities, is to be commended, yet we should remember that the Institutions belong to and are supported by the State. Every appropriation for their benefit should be based upon the necessities of the Institution and the demands of the State, and should stand upon its own merits.

The framers of the Constitution evidently contemplated that the one million dollars of indebtedness authorized by that instrument would be sufficient to pay for the erection of the permanent public buildings of the State. They did not foresee the growth of the State they were founding. That indebtedness has already been incurred, and yet the buildings of some of our Institutions are only commenced and none of them are finished. Such appropriations as are made now must be drawn directly from the pockets of the people.

There should be created in the Treasury a "Public Building Fund," out of which all appropriations for the erection and extension of the permanent Public Buildings should be made payable.

## AGRICULTURE.

The wisdom of the law passed last year requiring the officers of the State Board of Agriculture to make an annual report of the condition of Agriculture in the State, is shown by the Report of the Secretary, Hon. Alfred Gray. It is a very full and able Report, containing a large amount of interesting and valuable information. The State Board undertook to collect statistics of our various industries. The difficulties they met with, and the manner of overcoming them in the future are fully pointed out in the Report. The steps heretofore taken to obtain statistics of our farm products have proved failures. It is suggested by the Secretary of State, in his annual Report, that there should be established a Bureau of Statistics. The suggestion is of sufficient importance to deserve your attention.

Our people are, mainly, an agricultural people, and any measure tending to the development of that interest should receive your most careful consideration.

## A GEOLOGICAL CABINET.

Early in the history of the State, the Legislature provided for a geological survey which resulted in the establishment of the character of the various strata of rocks in the State, and their position in the geological series. As supplemental to this there should be collected a Cabinet, consisting of specimens of all gypsums, limestones and sandstones in the State, with a description of the character, extent, locality and accessibility of each; of the various coal beds, their qualities, location and extent, and of the various ores of value, such as lead and iron, their qualities, extent and value. The Cabinet should be arranged in a room in the State House, set apart for that purpose, where it would be accessible to all persons desiring to select building material, or to engage in manufacturing.

It may be inexpedient to make such appropriation now as would be necessary to perfect a Cabinet of this character, but much of the material can be collected at a very small cost, and it would be wise to, at least, provide for its foundation.



## CONSTITUTIONAL AMENDMENTS.

Section 1, Article V, of the Constitution, is in direct conflict with the Constitution of the United States, in denying to colored men the right of suffrage. This is a relic of barbarism, and should long since have been expunged from the Constitution. Our State which was in the front rank in the fight for equal rights for all, should not have in its Constitution or upon its Statute books any provisions favoring any class, race or nationality.

Section 2, Article V, as amended, prohibits persons who have borne arms against the government from exercising the right of suffrage. This amendment was adopted by a very small majority, but the arguments then used in favor of prescriptive legislation have ceased to have any force in this State, and the restriction should be removed.

Section 2, of Article II, provides that the Legislature shall never exceed one hundred members of the House and thirty-three members of the Senate.

Section 1, Article X, provides that in the future apportionment of the State each organized county shall have at least one Representative, while Section 2 of the same article provides that in 1866, and every five years thereafter, there shall be an apportionment of the State into Senatorial and Representative districts. In 1871, the Legislature, in pursuance of the last mentioned provisions, in apportioning the State into Representative districts, established ninety districts. Since the passage of that law twelve new counties have been organized, and the limit of one hundred members has been reached and passed.

Every county in the State should be entitled to at least one Representative in the House, and such amendments as may be necessary to harmonize the provisions of the Constitution, and to secure a just representation to every locality, should be made without delay. In my judgment this can best be done by an increase of the number of members of the Legislature. Experience elsewhere has proved that the States which have the largest popular representation in the Legislature have been the freest from charges of corruption.

That the populous counties of the State may have a fair representation, it is also necessary that the Legislature be increased. Section 2, Article II, of the Constitution should be so amended as to effect this result, and, to make it immediately effective. Section 2, Article X, should be so amended as to provide for a re-apportionment of the State.

Section 25, Article II, provides that the sessions of the Legislature shall be held annually. In sixteen of the States, namely: Ohio, Indiana, Illinois, Iowa, Missouri, Kentucky, California, Michigan, Vermont, Maryland, Delaware, Georgia, Nebraska, Nevada, Oregon and Tennessee, the Legislatures meet in regular session once in two years. These States seem to be as well governed as the remaining States. In our own State we have had too much legislation. Constant changes of laws lead to confusion and promote litigation. The expenses attending an annual session of the Legislature are heavy, and might be diminished one-half by biennial sessions.

The Constitution provides that only three amendments shall be submitted to the people in any one year. Attention here has been called to five necessary changes in that instrument, and these, if adopted, would necessitate others. Other defects have been frequently alluded to by my predecessor. As a remedy for these evils it seems to me that the time has arrived for holding a Constitutional Convention.

When the present Constitution was adopted, the Territory had less than one hundred thousand people. On its submission to the people, more than thirteen years ago, only 10,326 voters favored its adoption, and it was adopted by a majority of but 4,805. Thirty-nine of the present organized counties of the State had no voice in making the Constitution, and the whole vote cast in its favor when it was ratified was only about one-tenth of our present voting population. It will not be claimed that that small number of persons in that day understood our wants as fully as they are known by the present inhabitants of the State. The Constitution may have served its purpose, but we have completely outgrown it. You can only provide for the sub-

mission of this question to the people at the next general election, and two years will have elapsed, should the people endorse the measure, before the new Constitution would go into operation.

#### THE SENATORIAL ELECTION.

One of your important duties will be the election of a United States Senator. While I would not be understood as sanctioning the reports that have been so generally circulated of the wholesale purchase of our Legislatures, in our former elections, it would be idle to deny the existence of such reports, or the injury they have done to the good name of our Commonwealth. Would it not be wise for you, in the language of Scripture, to "abstain from all appearance of evil?" Your actions should be governed by such a high sense of public duty that no man would dare risk his reputation by intimating that you had been controlled by improper motives.

It is hoped that the day is not far distant when Senators in Congress will be chosen by a direct vote of the people.

#### MISCELLANEOUS.

The tax laws will demand much of your time and attention. Our revenue system is, in many respects, very faulty. The burden of taxation is unequally and unjustly distributed, and the facility with which the law is evaded makes its execution extremely difficult and defective. The Legislature, at its last session, provided for the appointment of a Commission to revise the tax laws. The Report of this Commission will be laid before you, and I ask for it that consideration which its importance demands.

The Reports of the Supreme Court have never been stereotyped. Some of the early volumes are already nearly exhausted, and it will soon be necessary to reprint them. Had a due regard been paid to economy, these reports would have been stereotyped and the plates owned by the State. New editions could then have been obtained at a comparatively small expense. You should see that in the future this error is remedied.

Section 52 of the Act defining the duties of State officers,

makes the Governor, Secretary of State and Auditor, a Board of Examiners, and requires them, at least once a month, to make a thorough and complete examination of all the books, vouchers, accounts, records, bonds, securities, claims, assets and effects which are, or should be, in the Treasury, and to count all the moneys in the Treasury, and compare the books, vouchers, accounts and records. Hitherto this law has been a dead letter. The amount of labor required for a thorough performance of this duty would, it has been claimed, occupy all the time of the officers named. Judging from the published opinions of State officers, this provision should be repealed. Should the safeguard thrown around the Treasury be insufficient, it will be your duty to provide others.

#### CONCLUSION.

In what has been briefly submitted in the foregoing suggestion, we have abundant proof of the progress and prosperity of this great Central State, ere long to be the Keystone of the augmented and completed Union, as Pennsylvania was of the original thirteen Colonies. Before 1876, our State will have one-third of the combined population of the Colonies that made the Declaration of Independence and won the victory in the war of the Revolution. With our soil and climate, with our central and commanding position, with a State freed at last from invasion from sister States and from incursions by Indians, with great lines of railway through its whole length and breadth, with a people alive with spirit and enterprise which distinguishes the present from all past eras, eager for education, obedient to law, and humbly acknowledging its gratitude to God for His manifold blessings, there can be no limit to its career of beneficent growth. Let us be proud to be the servant of such a people—the instrument of such a destiny—and so discharge our public duties as to gain the approbation of our fellow-citizens, the approval of conscience, and the “Well done good and faithful servant” of Him who controlls the destinies of men and of State.

THOMAS A. OSBORN.

## RESOLUTIONS CONSIDERED.

Mr. Scofield offered the following resolution :

*Resolved*, That five thousand copies of the Governor's Message be printed for the use of the House of Representatives, two thousand five hundred copies of which shall be in the English language, one thousand five hundred in German, and one thousand in the Swedish language.

Which was adopted.

Mr. Buchan offered the following resolution :

*Resolved*, That the Sergeant-at-Arms procure from the Secretary of State copies of the Revised Statutes of 1868, and the Session Laws of 1869, 1870, 1871 and 1872, and furnish a copy of each to the members of this House.

*Provided*, There is a sufficient number of copies now on hand in the office of the Secretary of State, or under his control.

Which was adopted.

Mr. Rohrabacher offered the following resolution :

*Resolved*, That those members over one hundred, claiming seats in this House, and having credentials to show for the same, be sworn in and allowed the privilege of making known the wishes of their constituents without being allowed to vote.

Mr. Scofield moved to refer the resolution to the Committee on Elections.

Which motion prevailed.

Mr. Nugent was granted leave of absence till Monday morning next.

Mr. Baker offered the following resolution

*Resolved*, That in the appointment of the Standing Committees of this House, the Speaker be and he is hereby authorized to appoint a Committee on Congressional Apportionment, consisting of fifteen members.

Which was adopted.

Mr. Hutchinson offered the following resolution :

*Resolved*, That the Secretary of State be requested to confer with the Architect of the State Capitol as to the ventilation of the Hall of Representatives, and report on the same to this House.

Which was adopted.

Mr. D. M. Adams offered the following resolution :

*Resolved*, That the Attorney General of this State be and is hereby requested to furnish to this House, at his earliest convenience, his opinion in writing as to the right of this House, under the Constitution, to legally admit more than one hundred members.

Which was adopted.

By unanimous consent,

Mr. Matheny, Sergeant-at-Arms, was granted leave of absence till Monday.

Mr. Veale moved that a committee of three be appointed to refer the Governor's Message to the proper committees.

Which motion prevailed.

Mr. Hutchinson moved that the documents accompanying the Governor's Message be referred to the same committee.

Which motion prevailed.

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#### COMMUNICATIONS.

The following papers and message was received from the Secretary of State :

STATE OF KANSAS, OFFICE OF SECRETARY OF STATE, }  
TOPEKA, January 16, 1873. }

MR. SPEAKER: I have the honor to transmit herewith the papers in the contested election case of Baker *versus*

Forsee, of the eighty-fourth representative district of this State.

Very respectfully,  
Your ob'dt serv't,  
W. H. SMALLWOOD,  
*Secretary of State.*

On motion,

Was referred to the Committee on Elections.

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Messrs. Veale, Wakefield and Bell were appointed by the Speaker a committee to refer the Governor's Message.

Mr. Scofield called up the resolution for members to select their seats.

The amendment to the resolution being voted upon, was lost.

The amendment to the amendment being voted upon, was lost.

The vote being taken on the original resolution,  
The resolution was adopted.

On motion of Mr. Buchan,

The House adjourned to meet at 2 o'clock p. m.

A. R. BANKS.

*Chief Clerk.*

## AFTERNOON SESSION.

THURSDAY, JANUARY 16, 1873, 2 o'clock A. M.

House met pursuant to adjournment.

Speaker in the chair.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

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Selection of seats being next in order, the drawing was conducted in accordance with the resolution.



## STANDING COMMITTEES.

Judiciary—Banta, Scofield, Hutchings, Buchan, McDermott, Legere and David Adams.

Ways and Means—Veale, Wells, Snyder, Morgan, J. M. Hunter, Lanter and James.

State Affairs—Cross, Willets, Fields, Buchan and Allen.

Assessment and Taxation—Miller, Hodges, Bowers, Smith and McDonald.

Retrenchment and Reform—Green, Dillard, Weaver, Curtain and Henshaw.

Railroads—Kalloch, Robinson, Scofield, Snyder, Cochran, Bond, Eldridge, Bacon, Tough, Hoesman, Gillespie, Searcy, Mapes, Baker and Ward.

Federal Relations—Langdon, Brinkman, Harper, Larkin and Lane.

Banks and Currency—D. M. Adams, Lanter, Allen, Spaulding and De Forrest.

Corporations—Eldridge, Turner, Funston, Shoemaker and Vickers.

Internal Improvements—Guffy, Beaty, Cooper, Ross and Cummings.

Public Institutions—Robinson, Titus, Bateman, Simpson and Curtain.

Public Lands—Harper, Vickers, Hoesman, Kahler and Forsee.

Public Buildings—Nugent, McDonald, W. J. Hunter, Reasoner and James.

Elections—Bowers, Motz, Fields, Simpson and Titus.

Militia—Tough, McDermott, Veale, Henshaw and Curtain.

Education—Willets, Plummer, Childs, Shaw and Cross.

Roads and Highways—Brenner, Sexton, Dillard, Billings and Stratton.

Printing—Sellers, De Forrest, Kalloch, O'Driscoll and W. J. Hunter.

Fees and Salaries—Hungerford, Gregg, Funston, Shaw and Weaver.

Counties—Davis, Lane, Lowe, Searcy and Simpson.

County Lines and County Seats—Allen, Sellers, Belden, Ward and Legere.

Agriculture and Manufactures—Smith, O'Driscoll, Lowrey, Larkin and Wells.

Claims—Wakefield, Frazier, Beaty, Peck and Bishop.

Accounts—Bacon, Brown, Peck, Ross and Bell.

Engrossed Bills—Jeffrey, Ensign, Bowron, Bell and Cummings.

Enrolled Bills—Blakely, Bowers, Cooper, Bishop and Brown.

State Library—Harvey, Kalloch, Reasoner, James and McLean.

Immigration—Hutchinson, Ensign, Larkin, Wakefield and Forsee.

Insurance—Spaulding, Veale, Shoemaker, Bond and Crew.

Congressional Apportionment—Scofield, Hutchinson, Gillespie, Sexton, Baker, Hodges, Fields, Frazier, J. M. Hunter, Crew, Motz, Morrison, Rohrabacher and Huntington.

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COMMUNICATION.

The Secretary of State submitted the following in the contest of Miller vs. Rohrabacher :

STATE OF KANSAS, OFFICE OF SECRETARY OF STATE, }  
TOPEKA, January 16, 1873. }

MR. SPEAKER: I have the honor to transmit herewith

the testimony in the contested election case of Miller vs. Rohrabacher, of the ninety-second representative district of the State.

Very respectfully,  
Your obd't serv't,

W. H. SMALLWOOD,

On motion,

Was referred to the Committee on Elections, together with accompanying documents.

Mr. Buchan moved to reconsider the vote by which the member from Troy county was admitted and sworn in.

Which motion prevailed.

Mr. Hungerford offered the following resolution :

*Resolved*, That no smoking be allowed in this House during the session of the Legislature.

Which was adopted.

Mr. Tough offered the following resolution :

*Resolved*, That we now proceed to the election of assistant officers in the order herein named: One Assistant Docket Clerk, one Assistant Enrolling Clerk and one Assistant Engrossing Clerk.

Mr. Hutchings offered the following amendment :

That the Speaker be and is hereby authorized to appoint all subordinate officers as are necessary and usual, and that have not been elected, except the clerks of Standing Committees, and that such clerks be appointed by the chairman of the respective committees which may be entitled to clerks.

Which, upon motion, was lost.

Mr. D. M. Adams moved to lay the original motion on the table.

Which motion prevailed.

Mr. Baker offered the following resolution :

*Resolved*, That each member of the House be allowed to

subscribe for such number of daily or weekly papers, printed in this State, as he may choose, not to exceed twenty-five copies for each day during the present session.

*Provided*, That the price to be paid for the same does not exceed the regular rates of the paper subscribed for or twenty cents per week for such daily papers, or the equivalent in weeklies.

*Resolved further*, That each member and officer designated as above, desiring to order papers in accordance with the foregoing resolution, make out in duplicate, a list of such papers as he may desire, one of which lists shall be handed to the Chairman of the Committee on Ways and Means, and the other to the Sergeant-at-Arms of this House, and the Sergeant-at-Arms shall order the copies so designated and no others.

Mr. Scofield moved to amend by inserting fifty instead of twenty-five.

Which motion prevailed.

Mr. Scofield offered the following amendment:

To insert in the proper place, Chief Clerk and all other officers of the House except Pages.

Which, on motion, was lost.

Mr. Buchan moved to amend by inserting Chief Clerk, Assistant Chief Clerk and Sergeant-at-Arms.

Which motion prevailed.

Mr. ——— moved to amend by allowing the members to subscribe for none but papers that published the proceedings of the Legislature.

Which motion prevailed.

The yeas and nays being demanded on the original resolution as amended,

The roll was called with the following result:

Yeas, 98; nays, 28.

The following gentlemen voted in the affirmative:—

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bond, Bowron, Brenner, Brinkman, Buchan, Childs, Cooper, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Ensign, Forsee, Gillespie, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Plummer, Reasoner, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Snyder, Spaulding, Titus, Tough, Veale, Vickers and Wells.

Gentlemen voting in the negative were :

Messrs. Beaty, Belden, Billings, Bowers, Brown, Coghane, Crew, Fields, Frazier, Funston, Gregg, Hungerford, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Lowe, Robinson, Smith, Stratton, Ward, Wakefield, Weaver, Willets and Mr. Speaker Kellogg.

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Mr. Legere presented papers in the contested election case of McNulty vs. ———.

Which were referred to the Committee on Elections.

Mr. Scofield presented papers in case of Waterman vs. Adams.

Which were referred to the Committee on Elections.

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#### INTRODUCTION OF BILLS.

The following bills were introduced :

By Mr. Hutchings,

House Bill No. 1, An act relating to the collection of taxes.

Read first time.

By Mr. Daniel Adams,

House Bill No. 2, An act to provide for the incorporation of the First Ward, under certain circumstances, as separate cities of the second class, and for other purposes.

Read first time.

By Mr. Bateman,

House Bill No. 3, An act to authorize the persons therein named to exercise the rights of majority.

Read first time.

By Mr. McDermott,

House Bill No. 4, An act to amend an act to authorize municipal corporate authorities to issue funds for internal improvement, approved March 2, 1872.

Read first time.

By Mr. McDermott,

House Bill No. 5, An act authorizing the county commissioners of Cowley county, Kansas, to issue bonds to liquidate the indebtedness of said county.

Read first time.

By Mr. McDonald,

House Bill No. 6, An act to remit the penalty on unpaid taxes in certain cases.

Read first time.

By Mr. Hutchings,

House Bill No. 7, An act to regulate taxation on the change of boundary lines.

Read first time.

By Mr. Hutchings,

House Bill No. 8, An act to amend an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases.

Read first time.

By Mr. Hutchings,

House Bill No. 9, An act for the relief of George Campbell.

Read first time.

By Mr. Bond,

House Bill No. 10, An act creating a metropolitan police for cities of the first class.

Read first time.

By Mr. Scofield,

House Bill No. 11, An act to amend section 2 and section 4 of chapter 26 of the General Statutes of 1868.

Read first time.

By Mr. Childs,

House Bill No. 12, An act extending the boundary lines of the city of Columbus, in the county of Cherokee, and defining the same.

Read first time.

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BILLS ON SECOND READING.

Mr. Adams moved to suspend the rules so as to allow the second reading of all the bills that have been introduced.

Which motion prevailed.

House Bill No. 1, An act relating to the collection of taxes,

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 2, An act to provide for the incorporation of the First Ward, under certain circumstances, as separate cities of the second class, and for other purposes,

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 3, An act to authorize the persons therein named to exercise the rights of majority.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 4, An act to authorize municipal corporate authorities to issue funds for internal improvement, approved March 2, 1872.

Read second time, and

Referred to the Committee on Corporations.

House Bill No. 5, An act authorizing the county commissioners of Cowley county, Kansas, to issue bonds to liquidate the indebtedness of said county.

Read second time, and

Referred to the Committee on Judiciary.

House Bill No. 6, An act to remit the penalty on unpaid taxes in certain cases.

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 7, An act to regulate taxation on the change of boundary lines.

Read the second time, and

Referred to the Committee on Counties and County Lines.

House Bill No. 8, An act to amend an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 9, An act for the relief of George Campbell.

Read the second time, and

Referred to the Committee on Judiciary.



House Bill No. 10, An act creating a metropolitan police for cities of the first class.

Read the second time, and

Referred to the Leavenworth Delegation.

House Bill No. 11, An act to amend section 2 and 4 of chapter 26 of the General Statutes of 1868.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 12, An act extending the boundary lines of the city of Columbus, in the county of Cherokee, and defining the same.

Read the second time, and

Referred to the Committee on Corporations.

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Mr. O'Driscoll presented the following petition.

TROY, KANSAS, January 11, 1873.

*To the Honorable members of the House of Representatives of the State of Kansas.*

The undersigned would most respectfully petition and urge upon your honors the practicability of passing a law, the present winter, granting a bounty on wolf scalps of at least five dollars each on the common wolf and ten dollars on the Buffalo or Gray Wolf, said sum to be paid out of the county treasury upon order of the county commissioners of the counties where said wolves are caught. For which your petitioners will ever pray.

Henry Steele,  
Isaac Graves,  
J. H. Jones,  
Jas. Elkin,  
Charles Rappelze,  
H. T. Goss,  
John Wegmiller,

Mike Finney,  
B. H. Dollaway,  
J. B. Maynard.  
John Rhue,  
H. L. McAdams,  
Richard Dane,  
Cyrus Stone,

L. D. Noys,	Charles Campbell,
Moses Collepint,	Daniel Norman,
G. W. Sutton,	Moses Townsend,
F. M. Bell,	J. H. Rhinehart,
F. M. McClelland,	H. Claret,
Jas. Hayton,	Henry C. Bailey,
Dick Cox,	Thomas Hanlon,
A. J. Olive,	C. G. Bailey,
C. W. Stewart,	James Lordonde,
Wm. M. Shepherd,	W. Hamm,
E. H. Le Duc,	Jas. Raille.

Which, on motion, was referred to the Committee on Agriculture.

Mr. Cross offered the following resolution :

*Resolved*, That the Secretary of State be instructed to furnish each member of the House, Chief Clerk, Assistant Chief Clerk and Sergeant-at-Arms, with \$10 worth of postage stamps.

A motion was made to lay the above resolution on the table.

Which motion was lost.

Mr. D. M. Adams moved to amend by striking out the words "ten dollars" and inserting in lieu thereof "five dollars."

Which motion prevailed.

The original resolution, as amended, was adopted.

Mr. Cochrane offered the following resolution:

*Resolved*, That the Speaker be authorized to invite the various pastors of the churches of this city to be present at and open the sessions of this body by prayer.

The resolution was adopted.

Mr. Harvey offered the following :

House Joint Resolution No. 1, Asking for the establishment of a territorial government for the Indian Territory.

Which was read the first time.

Mr. Buchan offered

House Concurrent Resolution No. 2, Relating to joint rules.

Which was laid over under the rules.

On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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MORNING SESSION.

FRIDAY, JANUARY 17, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

The following members were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDon-

ald, McLean, Miller, Morrison, Motz, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Wakefield, Weaver, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Kahler.

The Journal of yesterday was read and approved.

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PETITIONS PRESENTED.

Mr. Bishop presented

Petition of the citizens of Jewell county asking that sectional lines in said county be declared public highways.

Which was referred to the Committee on Counties and County Lines.

Mr. Bishop presented

Petition of S. R. Worrick and others, relating to sectional lines in Jewell county.

Referred to the Committee on Counties and County Lines.

Mr. Snyder presented

Petition of William Ansman, of Cloud county, a minor, asking the rights of majority.

Which was referred to the Committee on Judiciary.

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Mr. Spaulding offered the following resolution :

*Resolved*, That the Speaker appoint a Special Committee, composed of one representative from each city of the second class, to whom all matters especially effecting cities of the second class, shall be referred, and which committee

is empowered to report from time to time by bill or otherwise.

Mr. Hutchinson moved to amend by inserting cities of the third class, and have a Special Committee appointed for the same.

The resolution, as amended, was adopted.

Mr. Scofield moved to refer House Bill No. 12 to the Committee on Counties and County Lines.

Which motion prevailed.

Mr. Harvey offered

House Concurrent Resolution No. 3, Respecting school lands sold by the general government.

Which was laid over under the rules.

Mr. Buchan offered the following resolution:

*Resolved*, That the Committee on Election be instructed to examine and report upon the contests referred to them on next Tuesday evening.

By unanimous consent,

Mr. Bowers was granted leave of absence until 10 o'clock on Monday next.

Mr. Buchan called up House Concurrent Resolution No 2, Relating to joint rules.

Which, on motion, was adopted.

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#### INTRODUCTION OF BILLS.

By Mr. Veale,

House Bill No. 13, An act to protect and regulate the irrigation of Lands.

Read first time.

By Mr. Veale,

House Bill No. 14, An act to amend section 89, article 9, chapter 23 of the General Statutes of 1868, and section 2 of chapter 105 of the laws of 1872, concerning private corporations.

Read first time.

By Mr. Bond,

House Bill No. 15, An act to allow compensation to councilmen of cities of the first class.

Read first time.

By Mr. Cochran.

House Bill No. 16, An act to encourage the growth of forest trees.

Read first time.

By Mr. Shaw,

House Bill No. 17, An act to enable the county commissioners of Republic county to issue bonds to pay their indebtedness.

Read first time.

By Mr. Turner,

House Bill No. 18, An act to regulate the hours of school teachers.

Read first time.

By Mr. Turner,

House Bill No. 19, An act to relocate a part of Leavenworth and Fort Riley road, in Leavenworth county.

Read first time.

By Mr. Turner,

House Bill No. 20, An act to govern school districts and school boards in regard to text books.

Read first time.

By Mr. Legere,

House Bill No. 21, An act to vacate county grounds in Blue Rapid City, Marshall county.

Read first time.

By Mr. Sellers,

House Bill No. 22, An act to legalize an election held in Wabaunsee county.

Read first time.

By Mr. Sellers,

House Bill No. 23, An act to amend section 75 of chapter 24 of the General Statutes, defining the boundaries of counties.

Read first time.

By Mr. Eldridge,

House Bill No. 24, An act to amend an act concerning the location of county seats.

Read first time.

By Mr. Brenner,

House Bill No. 25, An act to declare certain section lines public highways.

Read first time.

By Mr. Bishop,

House Bill No. 26, An act legalizing certain acts of the county commissioners of Jewell county.

Read first time.

By Mr. Bishop,

House Bill No. 27, An act declaring certain section lines in Jewell county public highways.

Read first time.

By Mr. Hutchings,

House Bill No. 28, An act to protect traders on railroads.

Read first time.

By Mr. J. W. Hunter,

House Bill No. 29, An act to provide for an agricultural college building, and the completion of the college barn.

Read first time.

By Mr. Smith,

House Bill No. 30, An act relating to the assessment and collection of taxes, reducing interest on purchase money of lands and lots sold for taxes, from fifty to twenty-five per cent.

Read first time.

By Mr. Bacon,

House Bill No. 31, An act to declare Charles A. B. Jackson, a minor, of lawful age.

Read first time.

By Mr. Green,

House Bill No. 32, An act to create and establish a State road, in Mitchell, Lincoln and Ellsworth counties.

Read first time.

By Mr. Stratton,

House Bill No. 33, An act to empower Orrin F. Miller to hold and transfer property, and transact business as if he had attained majority.

Read first time.

By Mr. Morrison,

House Bill No. 34, An act declaring section lines public highways in Smith county.

Read first time.

By Mr. Hutchinson,

House Bill No. 35, An act to legalize the official acts of a township assessor and deputy assessor.



Read first time.

By Mr. Curtain,

House Bill No. 36, An act to create the fifteenth judicial district, and to provide for a judge thereof, and for holding the terms of court therein.

Read first time.

Mr. Beaty offered

House Joint Resolution No. 2, Providing for a constitutional convention.

Read first time.

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Mr. Jeffreys was granted a leave of absence until Tuesday noon.

Mr. Spaulding moved that when the House adjourn, it adjourn to meet at 2 o'clock on Tuesday next.

Mr. Veale moved to amend by inserting 10 instead of 2 o'clock.

The motion, as amended, prevailed.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has accepted

Senate Concurrent Resolution No. 1, Relating to Indian depredations on the frontier.

Senate Concurrent Resolution No. 2, Instructing the Attorney General to furnish the Legislature with his opinion as to the rights and obligations of the L. L. & G. R. R., and the rights of the State, and what remedy, if any, exists to enforce their rights.

In which your concurrence is respectfully desired.

GEO. C. CROWTHER,

*Secretary.*

Mr. Smith offered

House Joint Resolution No. 3, Recommending a constitutional Convention.

Read first time.

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BILLS ON SECOND READING.

Mr. D. M. Adams moved to suspend the rules and put all the bills upon their second reading, and refer them to their appropriate committees.

Which motion prevailed.

House Bill No. 13, An act to protect and regulate the irrigation of lands.

Referred to the Committee on Agriculture.

House Bill No. 14, An act to amend section 89, article 9, chapter 23, of the General Statutes of 1868, and section 2 of chapter 105 of the laws of 1872, concerning private corporations.

Referred to the Committee on Judiciary.

House Bill No. 15, An act to allow compensation to councilmen of cities of the first class.

Referred to the Leavenworth delegation.

House Bill No. 16, An act to encourage the growth of forest trees.

Referred to the Committee on Ways and Means.

House Bill No. 17, An act to enable the county commissioners of Republic county to issue bonds to pay their indebtedness.

Referred to the Committee on Judiciary.

House Bill No. 18, An act to regulate the hours of school teachers.

Referred to the Committee on Education.

House Bill No. 19, An act to relocate a part of the Leavenworth and Ft. Riley road, in Leavenworth county.

Referred to the Committee on Roads and Highways.

House Bill No. 20, An act to govern school districts and school boards in regard to text books.

Referred to the Committee on Education.

House Bill No. 21, An act to vacate cemetery grounds in Blue Rapids, Marshall county.

Referred to the Committee on Judiciary.

House Bill No. 22, An act to legalize an election held in Wabaunsee county.

Referred to the Committee on Judiciary.

House Bill No. 23, An act to amend section 75 of chapter 24 of the General Statutes, defining the boundaries of counties.

Referred to the Committee on Counties and County Lines.

House Bill No. 24, An act to amend an act concerning location of county seats.

Referred to the Committee on Counties and County Lines.

Thomas Johnson came forward and was sworn in by the Speaker as Clerk of the Committee on Ways and Means.

Messrs. Willets, Brown and Frazier were granted leave of absence till 2 o'clock on Tuesday.

The election returns of Pawnee county were received with the following communication from the Secretary of State:

STATE OF KANSAS, OFFICE OF SECRETARY OF STATE, }  
TOPEKA, January 17, 1873 }

*To the Hon. Josiah Kellogg, Speaker of the House of Representatives:*

MR. SPEAKER: I have the honor to transmit herewith the returns of an election held in Pawnee county for members

of the Legislature. The Board of State Canvassers having refused to canvass the same, they are respectfully submitted for the inspection and judgment of the House.

Very respectfully,

Your ob'dt serv't,

W. H. SMALLWOOD,

*Secretary of State.*

Which was referred to the Committee on Elections with the accompanying papers and documents.

Pending the second reading of House Bill No. 25,

House adjourned to meet at 10 o'clock on Tuesday next.

A. R. BANKS,

*Chief Clerk.*

RULES  
OF THE  
HOUSE OF REPRESENTATIVES.

ADOPTED, SESSION 1873.

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MEETING, QUORUM, ETC.

**RULE 1.** The hours of meeting each day shall be 10 o'clock A. M., and 2 o'clock P. M., unless a different time be prescribed by resolution.

**RULE 2.** A majority of all the members elect shall constitute a quorum.

**RULE 3.** In all cases of the absence of a quorum during the session of the House, the members present may take such measures as they shall deem necessary to secure the presence of a quorum; and may inflict such censure, or pecuniary penalty, as they may deem just, on those who, being called for that purpose, shall render no sufficient excuse for their absence.

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OF ADMISSIONS TO THE FLOOR.

**RULE 4.** The following class of persons, and no others, shall have admission to the floor of the House:

1. All members and officers of the Legislature.
2. State officers.

3. Reporters of the public press.
  4. Judges of the Supreme and District Courts.
  5. Ex-members of the Legislature.
  6. Ex-State officers.
  7. Such persons as any member of the House may personally invite.
  8. Ladies.
- 

OF THE OFFICERS.

**RULE 5.** The Speaker shall take the Chair, each day at the hour to which the House shall have adjourned. He shall call to order, and except in the absence of a quorum, shall proceed to business in a manner prescribed by these rules.

**RULE 6.** The Speaker shall not be compelled to vote except where his vote will change the result, except where the vote is taken by yeas and nays.

**RULE 7.** The Speaker shall possess and perform the duties herein prescribed, namely :

1. He shall preserve order and decorum.
2. He shall decide all questions of order, subject to appeal to the House. On every appeal, he shall have the right, in his place, to assign his reasons for his decision.
3. He shall appoint all committees, except when the House shall otherwise order.
4. He may, in the absence of the Speaker *pro tem.*, substitute any member to perform the duties of the Chair, for a period not exceeding two consecutive legislative days, but for no longer period, except by special consent of the House.
5. When the House shall be ready to go into Committee of the Whole, he shall name a chairman to preside.

6. He shall sign all bills passed by the House, and certify the passage of all bills that may be passed over the Governor's veto, with the date of their passage.

RULE 8. In the absence of the Speaker, the Speaker *pro tem.* shall perform all the duties of Speaker.

RULE 9. It is the duty of the Chief Clerk to keep a faithful record of all the proceedings of the House; to call the roll, report correctly the result of voting, yea and nay, and division votes; read or cause to be read, the Journal, and all bills, resolutions, petitions or other papers which the House may require; deliver all messages to the Senate; deliver all bills to be engrossed to the Engrossing Clerk, and all bills to be enrolled to the Enrolling Clerk.

RULE 10. It is the duty of the Assistant Clerk to aid the Chief Clerk in the performance of his duties, and to perform the same in the absence of the Chief Clerk.

RULE 11. It is the duty of the Journal Clerk to furnish the Chief Clerk, each morning, a correct copy of the journal of the preceding day.

RULE 12. It is the duty of the Docket Clerk to keep a correct record of the number, title and state of every bill, resolution, memorial, etc., and furnish the Sergeant-at-Arms, every evening, with a correct copy of the number and title of all bills, etc., that shall come under the head of general and special orders for the ensuing day.

RULE 13. It is the duty of the Engrossing Clerk to copy, correctly, all bills and other papers ordered to be engrossed, and deliver the engrossed and original copies to the Committee on Engrossed Bills.

RULE 14. It is the duty of the Enrolling Clerk to copy, correctly, all bills and other papers ordered to be enrolled, and deliver the enrolled and original copies to the Committee on Enrolled Bills.

RULE 15. It shall be the duty of the Sergeant-at-Arms to deliver to the printer all bills, etc., ordered to be printed,

except the journals; return and distribute the printed copies; procure all stationery, etc, and execute all orders of the House not otherwise provided for. He shall have the general supervision of the Hall of the House of Representatives, Committee and Clerk rooms.

**RULE 16.** It shall be the duty of the Door-keeper to see that no person is admitted within the bar, except those admitted by rule or special order; he shall brush and arrange the desks and hall, procure water and keep the hall properly warmed and ventilated, and execute all orders directed to him by the House.

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**OF THE COMMITTEES.**

**RULE 17.** Standing committees, consisting of five members each, except Judiciary, Ways and Means, County Lines and County Seats, which shall consist of seven members each, and Apportionment and Railroads, which shall consist of fifteen members each, shall be appointed by the Speaker on the following subjects:

1. Judiciary.
2. Ways and Means.
3. State Affairs.
4. Assessment and Taxation.
5. Retrenchment and Reform.
6. Railroads.
7. Federal Relations.
8. Banks and Currency.
9. Corporations.
10. Internal Improvements.
11. Public Institutions.
12. Public Lands.



13. Public Buildings.
14. Elections.
15. Militia.
16. Education.
17. Roads and Highways.
18. Printing.
19. Fees and Salaries.
20. Counties.
21. County Lines and County Seats.
22. Agriculture and Manufactures.
23. Claims.
24. Accounts.
25. Engrossed Bills.
26. Enrolled Bills.
27. State Library.
28. Immigration.
29. Insurance.
30. Apportionment.

**RULE 18.** It shall be the duty of each committee to inquire into the matter indicated by its name, and to report thereon to the House any information, and any bill or resolution which it may deem conducive to the public good; and any bill referred to a committee shall be reported back to the House within five days after reference, unless further time shall be given by the House.

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**OF THE JOURNAL AND ORDER OF BUSINESS.**

**RULE 19.** The first business of each day's session shall be the calling of the roll, after which the journal shall be read and corrected.

**RULE 20.** The order of business, except on days and at times set apart for the consideration of special orders, shall be as follows, to-wit:

1. The presentation of petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Communications from the State officers.
6. Messages from the Senate.
7. Original motion and resolutions.
8. Consideration of motions and resolutions offered on a previous day.
9. Introduction of bills.
10. Second reading and reference of bills.
11. Third reading of bills reported by the Committee of the Whole.
12. General orders of the day, consisting of bills ready to be considered in Committees of the Whole.

**RULE 21.** The unfinished business before the House at the time of adjournment, shall have precedence in the orders of the day.

**RULE 22.** Concurrent resolutions from either House, and Senate's amendment to House bills, shall be in order at any time when no question is pending.

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OF GENERAL AND SPECIAL ORDERS.

**RULE 23.** Bills that have been reported by a standing or select committee, shall constitute the General Orders, and their titles shall be recorded in a calendar, prepared by the Docket Clerk, in the order in which they are reported from the committee.

**RULE 24.** When General Orders are reached in the regular order of business, the House shall, unless a majority otherwise direct, go into Committee of the Whole upon the calendar, and consider the bills in their order, and no bill upon the Calendar shall be substituted for the one under consideration.

**RULE 25.** Any matter may be made the special order for any particular time or day, by the consent of two-thirds of the members voting.

**RULE 26.** Each member shall be furnished with a copy of the daily Calendar, prepared by the Docket Clerk, which shall include the bills on third reading, and the General Orders.

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**ORDER OF PROCEEDINGS, DECORUM, ETC.**

**RULE 27.** Petitions, memorials, and any other paper addressed to the House, shall be presented by a member in his place, or by the Speaker.

**RULE 28.** Each member presenting a petition, memorial, bill, or report of a committee, shall endorse the same with his name or the name of the committee, and a brief statement of its subject.

**RULE 29.** Each member, within the House, when a question is stated by the Chair, shall vote thereon, in his place, unless he be excused by the House. No member shall vote on a question in which he may have a private or pecuniary interest, except when such interest is common to all members alike.

**RULE 30.** Any member claiming the floor shall rise in his place and address the Speaker, and shall not proceed until recognized by him.

**RULE 31.** While a member is speaking, no other member shall entertain any private discourse, or pass between him and the Chair.

**RULE 32.** While the Speaker is putting a question, or a vote or count is being had, no member shall speak or leave his place.

**RULE 33.** If any member, in speaking, transgress the rules of the House, the Speaker shall, or any member may, call him to order, in which case the member so called to order shall immediately take his seat and retain it, unless he rises to explain or proceeds in order.

**RULE 34.** In all cases where a bill, order, motion, or resolution shall be entered on the journal, the name of the member introducing or moving the same shall be entered.

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#### ORDER OF DEBATE.

**RULE 35.** No member shall speak twice on the same general question, without leave; nor more than once in any case, until every member desiring to speak shall have had an opportunity to do so.

**RULE 36.** When a question shall be under consideration, no motion shall be received except as herein specified; which motion shall have precedence in the order stated, viz:

1. For adjournment of the House.
2. For call of the House.
3. For the previous question.
4. To lay on the table.
5. To postpone to a certain day.
6. To commit to the Committee of the Whole.
7. To commit to a Standing Committee.
8. To commit to a Select Committee.
9. To amend.
10. To indefinitely postpone.

**RULE 37.** No subject different from that under consideration, shall be admitted under color of amendment.

**RULE 38.** All questions relating to priority of business shall be decided without debate.

**RULE 39.** The motion to adjourn shall always be in order, except while the yeas and nays are being taken and announced, or when a member has the floor; but a motion to *adjourn to a time certain* is not equivalent to a motion "to adjourn."

**RULE 40.** The yeas and nays may be taken on any question, whenever so required by any five members, (unless a division of yeas and nays be already pending,) and when so taken, shall be entered on the journal.

**RULE 41.** A call of the House shall be ordered on the demand of five members, on the taking of a vote on any bill or resolution.

**RULE 42.** The motion to adjourn, for a call of the House, and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit, shall preclude all debate on the main question.

**RULE 43.** Every motion shall first be stated by the Speaker or read by the Clerk before debate, and again immediately before putting the question; and every motion except those specified in the 37th rule, shall be reduced to writing if the Speaker or any member desire it: *Provided*, That the motion to amend shall be reduced to writing, if required by the Speaker.

**RULE 44.** If any question contain distinct propositions, it shall be divided by the Chair at the request of any member; but a motion to strike out and insert shall be indivisible.

**RULE 45.** When different sums are moved in filling blanks, the question shall first be put on the largest sum and the longest time.

**RULE 46.** No motion for reconsideration of any vote shall be in order, unless on the same day or the following legislative day to that on which the decision proposed to be

reconsidered took place ; nor unless one of the majority shall move such reconsideration. A motion for reconsideration being put and lost shall not be renewed ; nor shall any subject or vote be a second time reconsidered, without unanimous consent.

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OF THE PREVIOUS QUESTION.

**RULE 47.** The "Previous Question" shall be as follows: "Shall the main question now be put?" and until it is decided shall preclude all amendments or debate. When on taking the previous question, the House shall decide that the main question shall not now be put, the main question shall be considered as still remaining under debate. The "main question" shall be on the passage of the bill, resolution or other matter under consideration ; but when amendments are pending, the question shall first be taken upon such amendments in their order, and when amendments have been adopted by the Committee of the Whole, and not acted on in the House, the question shall be taken upon such amendments in like order, and without further debate or amendment.

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OF BILLS, REFERENCE, PRINTING, ETC.

**RULE 48.** Each bill, when introduced, shall be sent to the Clerk, who shall read its title. This the Speaker shall announce as the first reading of the Bill.

**RULE 49.** Upon the next day it shall be read (by its title, unless five members shall demand its reading in full,) and be referred to the appropriate Standing, or to a Select Committee.

**RULE 50.** No bill shall be introduced, except as provided in Rule 20, unless by unanimous consent.

**RULE 51.** All bills for the appropriation of money shall,

on their second reading, be referred to the Committee on Ways and Means, unless otherwise ordered by a majority of the House.

**RULE 52.** Bills reported by the committees shall go upon the Calendar, as part of the General Orders, unless otherwise ordered. Bills reported upon favorably shall be printed, with report of the committee thereon; but if the committee report an entire bill as a substitute, or propose to strike out all after the enacting clause and insert a new bill, the new bill or substitute so reported, (with the report thereon,) shall be printed, and the original bill shall not be printed unless the House so order. Bills reported unfavorably shall not be printed, unless ordered printed by the House.

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#### COMMITTEE OF THE WHOLE.

**RULE 53.** Bills and other matters shall be considered in Committee of the Whole in the following manner, viz: They shall first be read through, unless the Committee shall otherwise order, and unless the Committee shall recommend that the enacting clause be stricken out, they shall be read and considered by sections, leaving the title to be last considered.

**RULE 54.** A motion to rise and report shall be in order at any stage, and shall be decided without debate.

**RULE 55.** If, at any time, when in the Committee of the Whole House, it be ascertained that there is no quorum present, the Chairman shall immediately vacate the Chair, and report the fact to the Speaker.

**RULE 56.** The same rules shall be observed in the Committee of the Whole as in the House, so far as the same are applicable, except that the previous question shall not apply, nor shall the yeas and nays be taken.

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#### PROCEEDINGS SUBSEQUENT TO COMMITTEE OF THE WHOLE.

**RULE 57.** Bills reported by the Committee of the Whole

shall still be subject to debate before the question to engross is put; such amendments only shall be in order as were offered in the Committee of the Whole; and where a bill shall be reported with the recommendation that the enacting clause be stricken out, and the report shall be agreed to by the House, it shall be considered as rejected.

**RULE 58.** After being reported by the Committee of the Whole, if the bill is not rejected, it may be ordered to be engrossed for a third reading.

**RULE 59.** All bills shall be engrossed in the order in which they have been directed to be engrossed by the House. But when a bill is written in a plain and distinct handwriting, or is printed without interlineations or erasures, such bill may be reported by the Committee on Engrossed Bills as correctly engrossed, without causing the same to be re-written or engrossed.

**RULE 60.** On the next or some subsequent day, it shall be read a third time, by sections, and put upon its final passage without amendment.

**RULE 61.** The question upon the final passage of all bills shall be taken by yeas and nays; and the vote upon the final passage of any bill in the House, which may have been amended by the Senate, shall only be passed by a majority of all the members elected to the House, voting by yeas and nays.

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OF RESOLUTIONS, ETC.

**RULE 62.** The following class of resolutions shall lie over for one day for consideration, after which they may be called up under their appropriate order of business:

1. All concurrent resolutions.
2. Resolutions containing calls for information on the executive department.
3. Resolutions giving rise to debate, except such as



relate to the disposition of matter immediately before the House, such as relate to the business of the day on which they are offered, and such as relate to adjournment.

**RULE 63.** All resolutions for the printing of an extra number of any document, paper or bill, shall be referred as of course to the Standing Committee on Printing, to consider and report thereon.

**RULE 64.** All other resolutions calling for or leading to expenditure for the use of the Legislature, shall be referred to, and reported on by the Committee on Accounts, unless the House shall designate some other committee.

**RULE 65.** No rule or order of the House shall be suspended, rescinded or changed, except by a vote of two-thirds of all the members voting.

**RULE 66.** In any case where these rules do not apply, the rules of parliamentary law laid down in Cushing's Manual shall govern.

JOINT RULES  
OF  
THE SENATE  
AND  
HOUSE OF REPRESENTATIVES.  
SESSION OF 1873.

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**RULE 1.** Each House shall, as soon as organized, report that fact to the other House; and the two Houses shall, by Joint Committee, inform the Governor that they are ready to receive any communication he may have to make.

**RULE 2.** Messages from one House to the other, shall be carried by their clerks respectively, unless the House transmitting the message shall specially direct otherwise.

**RULE 3.** In Joint Convention of the two Houses, the President of the Senate shall preside.

**RULE 4.** Each House shall transmit to the other, all papers on which any bill or resolution may be founded.

**RULE 5.** It shall be in the power of either House to amend any amendment made by the other, to any bill or resolution.

**RULE 6.** When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same was passed.

**RULE 7.** In case of difference between the two Houses, upon any subject of legislation, either House may request a conference and appoint a committee for that purpose; and the other House shall appoint a similar committee. The committee shall meet at the time and place appointed by the Chairman of the Committee on the part of the House requesting such conference. The committees shall confer upon the cause of difference, with a view to arrive at such modification and amendments as would secure the agreement of both Houses. The report of the committee shall be in writing, and shall be sent to the House assenting to the conference. When such House shall have acted thereon, it shall transmit the same, with the papers relating thereto, to the other, with a message certifying its action thereon.

**RULE 8.** It shall be in order for either House to recede from any subject matter of difference subsisting between the two Houses at any time previous to conference, whether the papers on which such difference arose are before the House receding, formally or informally.

**RULE 9.** If the two Houses adhere to their disagreement, or if as many as two Committees of Conference have been appointed, and cannot agree, the bill which is the subject of difference shall be deemed lost, and shall not be revived in either House during the session.

**RULE 10.** All Joint Committees, and all Committees of Conference, shall consist of three members of the Senate, and five members of the House, unless otherwise specially ordered by concurrent resolution.

**RULE 11.** When a joint bill or concurrent resolution shall have passed one House, it shall be transmitted to the other, without entering an order on the Journal.

**RULE 12.** After a bill or joint resolution shall have passed both Houses, it shall be neatly enrolled by the Enrolling Clerk of the House in which it originated.

**RULE 13.** After a bill is duly enrolled, it shall be examined by the Joint Committee on Enrolled Bills, who shall

carefully compare the enrolled bill with the engrossed bill, as passed in the two Houses, and correct any errors that may be discovered in the enrolled bill, and report forthwith in writing, which report shall be entered on the Journal of the House where the bill originated, and they shall return the engrossed bill to the Enrolling Clerk of the House where such bill originated. After such examination and report, the committee shall present the bill to the Speaker of the House for his signature, and to the Chief Clerk, who shall certify on the roll in which House the bill originated, together with the date of introduction of such bill, and the date of the passage thereof, after which the committee shall present the bill to the President of the Senate for his signature, and to the Secretary for his certificate. Immediately after a bill is properly signed, the committee shall present it to the Governor for approval, and report, in writing, to the House of Representatives and Senate, the day of the week, and the date of the month, on which such bill was presented, which report shall be entered on the Journal of the House.

**RULE 14.** All joint orders, memorials and resolutions, which are to be presented to the Governor for his approval, shall be treated in the same manner as bills.

**RULE 15.** The Committee of each House on Legislative Expenditures, the State Library, Enrolled Bills and Printing, shall act jointly, and be considered Joint Committees of the two Houses.

**RULE 16.** The general appropriation bills shall be introduced into the House at least ten days before the day fixed for final adjournment, and passed and sent to the Senate at least five days before the close of the session, and such appropriation bills shall be classified as follows :

One bill appropriating salaries and expenses of the Executive, State and Judiciary Departments.

One bill making appropriations for the Legislative Department.

One bill making appropriations for the Asylum for the Blind.

One bill making appropriations for the Asylum for the Deaf and Dumb.

One bill making appropriations for the Asylum for the Insane.

One bill making appropriations for the State Penitentiary.

One bill making appropriations for the State University.

One bill making appropriations for the State Normal School.

One bill making appropriations for the State Agricultural College.

One bill making appropriations for the State Capitol Building.

One bill making appropriations to Sheriffs for conveying prisoners to the Penitentiary.

One bill making appropriations to pay the expenses of special committees visiting the several State and Benevolent Institutions.

One bill making appropriations to pay the expenses of the several committees on investigations.

One bill making appropriations to the Public Printer for printing and binding.

One bill appropriating money for miscellaneous expenses.

Other appropriation bills may be introduced when deemed necessary or expedient; but it shall not be competent for any member or committee to introduce any bill which shall include appropriations for any two or more objects or purposes hereinbefore designated as subjects of different bills.

**RULE 17.** The Committee on Ways and Means of the Senate, and the like Committee of the House of Representatives, shall, for the purpose of making up the general appro-

priation bill, constitute a Joint Committee, and no item shall be inserted by the committee except in joint session.

**RULE 18.** Bills, joint resolutions and concurrent resolutions shall be printed as required by rule or order of either House, and when printed, one hundred and fifty shall be printed for the use of both houses. No extra number of any bill, resolution or document shall be printed, except it be ordered by a concurrent resolution.

**RULE 19.** Orders to print, unexecuted, expire at the close of the session, and no document shall be printed or delivered after the final adjournment, unless under some law or resolution of the two Houses.

**RULE 20.** Whenever there shall be an election of officers by the joint action of the two houses, the result shall be certified by the President of the Senate and Speaker of the House, and shall be reported by each to their respective Houses; which report shall be entered on the Journal of each, and shall be communicated to the Governor by the Clerks of the two Houses, jointly.

**RULE 21.** When amendments are made in one House to a bill or joint resolution originating in the other, or where amendments are made in one House to amendments made in the other, it shall require a vote of a majority of all the members elected to either House, on the call of the yeas and nays, to adopt said amendment on its final passage.

**RULE 22.** In Joint Convention of the two Houses, the previous question shall be in the usual form, and when sustained by a majority of the members present, it shall cut off all debate or amendment, and bring the convention to a direct vote; but the vote shall be taken on all pending amendments, in their order, until the main question is reached.

**RULE 23.** When a bill proposes to amend any section, chapter or act, the title shall read as follows: "An act relating to ———, and amendatory of section ——— of chapter ——— of the ———," filling the blanks with proper subject, section or chapter of the General Statutes of 1868, or Session Laws, designating the same.

**RULE 24.** When a bill proposes to repeal any section, chapter or act, and has no other object, the title shall be as follows: "An act to repeal section ———, of chapter ———, of the ———, relating to ———," filling the blanks with the proper subject, section and chapter of the General Statutes or Session Laws, designating the same.

**RULE 25.** The Chief Clerk of the House and Secretary of the Senate, shall endorse on every bill and joint concurrent resolution, respectively, a brief history of each such bill or resolution introduced or coming into their respective Houses, showing when and by whom the bill or resolution was introduced, or when received, its several readings and references; when reported, and the recommendation; the fact of amendment; (if amended;) its engrossment, final reading and disposition thereof, stating the number of yeas and number of nays thereon. The Chief Clerk and Secretary shall respectively sign such history of the bill or resolution in his House before he transmits the same to the other House.

**RULE 26.** These Rules may be changed or suspended by concurrent resolution, on a vote of two-thirds of the members present in each House.

## MORNING SESSION.

TUESDAY, JANUARY 21, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochran, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Ensign, Forsee, Frazier, Funston, Gillespie, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Baldrige.

The Journal of yesterday was read and approved.

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The following committees were appointed by the Speaker:

Committee on Joint Rules—Messrs. Buchan, Veale and Kalloch.



Committee on Cities of the Second Class—Messrs. Spaulding, Harvey, Nugent, Crew, Hunter, Forsee, Buchan, Robinson, Blakely, Allen, Bell, Hutchings, McDonald and Miller.

Committee on Cities of the Third Class—Messrs. Hutchison, Hungerford, Searcy, Brown, Eldridge, Peck, Cross, Bacon Childs, Lanter, Vickers, Curtain, Willetts, Lowe, McLean, O'Driscoll, Rohrabacher, Henshaw, Dillard, Ensign, Shoemaker, Mapes, Huntington, McDermott, Lyon and Snyder.

The names of Messrs. McLean and Huntington were added to the present Committee on County Seats and County Lines.

Mr. Hutchings presented

A petition of citizens of Mission township, Neosho county, asking to be released from certain taxation assessed upon them while residents of another township.

Which was referred to the Judiciary Committee, same as House Bill No. 7, and to accompany the same.

A petition was presented asking that all section lines in the county of Harvey be declared public highways,

Which was referred to the Committee on County Seats and County Lines.

A petition was presented asking for additional security against prairie fires.

Which was referred to the Committee on County Seats and County Lines.

George P. Ware was appointed Clerk of the Committee on Railroads, and came forward and was sworn in by the Speaker.

Mr. Miller, Chairman of the Committee on Assessment and Taxation, submitted the following reports:

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 1, An act relating to the collection of taxes,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that the same be rejected, the subject matter being more fully set fourth in House Bill No. 6.

J. M. MILLER,  
*Chairman.*

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 6, An act to remit the penalty on unpaid taxes in certain cases,

Have had the same under consideration, and instruct me to report the bill back to the House and recommend its passage.

J. M. MILLER,  
*Chairman.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 8, Relating to joint session for election of State Printer.

In which your concurrence is respectfully desired.

GEO. C. CROWTHER,  
*Secretary.*

By unanimous consent,

Mr. Cooper was granted leave of absence till Wednesday next.

Senate Concurrent Resolution No. 1, Concerning Indian depredations on the frontier,

Was read and adopted.

Senate Concurrent Resolution No. 2, Instructing the Attorney General to furnish the Legislature with the rights and obligations of the L. L. & G. R. R., and the rights of the

State, and what remedy, if any, exists to enforce these rights,

Was taken up for consideration.

Mr. Reasoner offered the following amendment:

That the opinion of the Attorney General be laid before the House in printed form.

Which amendment was lost.

The original resolution was read and adopted.

Mr. Veale offered

House Concurrent Resolution No. 4, Relating to soldiers' bounty land bills.

Which was read and laid over under the rules.

Mr. Kalloch offered the following resolution:

*Resolved*, That the Committee on Railroads be authorized to employ a Clerk.

Mr. Veale moved to amend by inserting also "Committee on Ways and Means."

Mr. Hutchings moved as an amendment to the amendment, that the Judiciary Committee be embraced in the resolution.

The original resolution as amended was read and adopted.

Mr. Kalloch offered the following resolution:

**WHEREAS**, The Committee on Railroads, as now constituted, is too large to be conveniently accommodated in either of the rooms set aside for Committees' use, and

**WHEREAS**, The committee rooms are generally in continuous use; therefore,

*Resolved by the House of Representatives of the State of Kansas:*

That the Secretary of State be and is hereby directed to furnish a suitable room for the use of said Committee on Railroads.

Which resolution was read and adopted.

Mr. Fields offered the following resolution :

*Resolved*, That the Committee on Horticulture and Pomology be and is hereby added to the list of Standing Committees of the House.

Which resolution was read and adopted.

Mr. Gillespie offered the following resolution :

*Resolved*, That the Secretary of State be and is hereby authorized to furnish to each member of the Committee on Apportionment and County Seats and County Lines, a correct sectional map of the State of Kansas.

Which resolution was adopted.

Mr. Gregg introduced

House Concurrent Resolution No. 5, In relation to mail routes.

Which was laid over under the rules.

Mr. Cross offered the following resolution :

WHEREAS, Public rumor boldly asserts that money and other corrupt influences are again being used to control the election of United States Senator, and

WHEREAS, The good name and fair fame of our State is now suffering from disgraceful developments concerning the election of Alexander Caldwell to the Senate of the United States, by the Legislature of the State of Kansas two years ago; therefore,

*Resolved by the House of Representatives* : -

That at the approaching election for United States Senator, we will support no man for that honorable and responsible position, to whom the least taint or suspicion of corruption is attached.

Which was adopted.

Mr. Reasoner offered the following resolution :

*Resolved*, That this House authorize the Speaker to appoint a Standing Committee on Frontiers, said Committee to

consist of five members, to whom shall be referred matters relating to the frontier.

Which was adopted.

Mr. McDermott offered the following resolution :

*Resolved*, That the use of the Hall of the House of Representatives be granted to the soldiers for the purpose of holding a meeting on Wednesday, January 22, 1873, and the Sergeant-at-Arms is hereby directed to have the hall lighted at that time.

Which was adopted.

Mr. McDonald offered the following resolution :

**WHEREAS**, The arrival and departure of the mails at the Topeka postoffice are at such time that the postmaster of this House is necessarily absent from it during its sitting, both in the forenoon and afternoon, in carrying the mail to and from the State House; therefore,

*Be it resolved by the House of Representatives :*

That we proceed to elect an Assistant Postmaster.

Which resolution was, upon motion, laid upon the table.

Mr. Mapes offered the following resolution:

*Resolved*, That a Committee of three be appointed to investigate charges against H. G. Webb, judge of the 11th judicial district, with power to send for persons and papers.

Mr. Hutchings moved to amend by inserting the word **five** instead of **three**.

Which amendment was lost.

The original resolution being read was adopted.

House Concurrent Resolution No. 3,

Was taken up for consideration.

Mr. Hutchings moved to amend as follows:

*Provided*, That but one section shall be selected in any one Congressional township.

Which resolution, as amended, was adopted.

Mr. Bowers, Chairman of the Committee on Elections, submitted the following reports in behalf of the Committee.

DAVID B. WATERMAN, *Contestor*.

DAVID ADAMS, *Contestee*.

*To the Honorable members of the House of Representatives of the State of Kansas:*

Your Committee to whom was referred the question as to who was entitled to a seat in this House from the 98th district, composed of Russell county, beg leave to make the following report:

We, your Committee, find that at an election held in the said district on the fifth day of November, 1872, there were returns submitted to the State Board of Canvassers from two localities in the county of Russell, and by different officers of said county; and that it is pretended by the contestor that he received the most votes at that election. On the other hand it is claimed by the contestee that he was, by the legal votes cast at said election, elected to this House, and that a large number of the votes cast in said county at said election for the contestor were fraudulent.

We find that the State Board of Canvassers issued the certificate of election to the contestee, Mr. Adams.

We find that the contestor, Mr. Waterman, has given no legal notice of a contest in this case and gave no notice of such contest until the 14th day of January, 1873. The contestee filed his statement, under oath, as to the illegality of the votes cast for the contestor, Mr. Waterman, and showing that the contestee is entitled to his seat.

We, your Committee, would submit that the contestee, Mr. Adams, is entitled to his seat in this body, and that the House so order.

All of which is respectfully submitted.

M. B. BOWERS, *Chairman*.

SIM. MOTZ,

H. C. FIELDS,

F. E. SIMPSON.

MR. SPEAKER: Your Committee, to whom was referred the contest for a seat from the 84th district, Saline county, beg leave to report as follows:

1. It is admitted that the contestee, Mr. Forsee, received a majority of 82 votes of the duly qualified electors of said district.

2. The contestor, Mr. Baker, claims the contestee ineligible to the office of Representative upon the ground of holding the office of postmaster at Falum, Saline county, Kansas.

3. Upon investigation we, your Committee, are of the opinion that Mr. Forsee is eligible and legally entitled to his seat upon this floor, and ask that the House so order.

M. B. BOWERS, *Chairman.*

SIM. MOTZ,

C. W. TITUS,

F. E. SIMPSON,

H. C. FIELDS.

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#### INTRODUCTION OF BILLS.

By Mr. Lanter,

House Bill No. 37, An act supplemental to an act supplemental to an act respecting executors and administrators and the settlement of the estates of deceased persons.

Read first time.

By Mr. Funston,

House Bill No. 38, An act to amend section 1 of chapter 45 of the laws of 1868, concerning the protection of game.

Read first time.

By Mr. Gillespie,

House Bill No. 39, An act to amend an act to incorporate cities of the second class, and to repeal former acts.

Read first time.

By Mr. Fields,

House Bill No. 40, An act in relation to Penitentiary convicts, and to amend section 28, chapter 77, of the General Statutes of 1868.

Read first time.

By Mr. Sellers,

House Bill No. 41, An act to amend sections 1 and 2 of chapter 105, in relation to stock, approved March 2, 1868.

Read first time.

By Mr. Snyder,

House Bill No. 42, An act in relation to the issuing of municipal bonds and amendatory to section 3, chapter 68, of the Session Laws of 1872.

Read first time.

By Mr. Snyder,

House Bill No. 43, An act to amend sections 325 and 328 of article 16 of the code of criminal procedure.

Read first time.

By Mr. Motz,

House Bill No. 44, An act relating to a State road in the counties of Ellis, Rooks and Phillips.

Read first time.

By Mr. Spaulding,

House Bill No. 45, An act to authorize the consolidation of bridge companies organized under the laws of this State, with similar companies organized under the laws of an adjoining State.

Read first time.

By Mr. Spaulding,

House Bill No. 46, An act to amend an act entitled an



act to legalize building, loan and saving institutions, and to declare their acts valid, approved March 3, 1870.

Read first time.

By Mr. Ward,

House Bill No. 47, An act authorizing Henry A. Hunting, a minor, to exercise the rights of majority.

Read first time.

By Mr. Allen,

House Bill No. 48, An act legalizing certain acts of the city council of the city of Wichita.

Read first time.

By Mr. McDermott,

House Bill No. 49, An act to amend section 1 of article 1, chapter 81, of the General Statutes, civil procedure before justices.

Read first time.

By Mr. O'Driscoll,

House Bill No. 50, An act to amend certain specified sections of chapter 150 of the session acts of 1871, being an act amendatory and supplemental to an act to provide for the assessment and collection of taxes, approved February 28, 1868.

Read first time.

By Mr. O'Driscoll,

House Bill No. 51, An act to amend certain specified sections of chapter 107 of the General Statutes; being an act to provide for the assessment and collection of taxes, and suspending the penalty under certain conditions.

Read first time.

By Mr. Mapes,

House Bill No. 52, An act to amend section 6 of an act approved March 3, 1863, relating to mills and millers.

Read first time.

By Mr. Blakely,

House Bill No. 53, An act to amend an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases.

Read first time.

By Mr. Sexton,

House Bill No. 54, An act to amend section 1 of an act entitled an act to provide for holding court in certain counties therein named, comprising the seventh judicial district.

Read first time.

By Mr. Cochrane,

House Bill No. 55, An act to create the office of public administrator in the various counties of the State.

Read first time.

By Mr. Cochrane,

House Bill No. 56, An act to enable Frank Neal, a minor, to exercise the rights of majority.

Read first time.

By Mr. Bell,

House Bill No. 57, An act authorizing the city of Independence, to issue bonds of the city to liquidate the indebtedness of the city.

Read first time.

By Mr. Shaw,

House Bill No. 58, An act relating to strays and amendatory to section 13 of Chapter 105 of the General Statutes of 1868.

Read first time.

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BILLS ON SECOND READING.

House Bill No. 25, An act to declare certain section lines public highways.

Referred to the Committee on Counties and County Lines.

House Bill No. 26, An act legalizing certain acts of the county commissioners of Jewell county.

Referred to the Committee on Judiciary.

House Bill No. 27, An act declaring certain section lines in Jewell county public highways.

Referred to the Committee on Counties and County Lines.

House Bill No. 28, An act to protect traders on railroads.

Referred to the Committee on Railroads.

House Bill No. 29, An act to provide for an agricultural college building, and the completion of the college barn.

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 30, An act relating to the assessment and collection of taxes, reducing interest on purchase money of lands and lots sold for taxes, from fifty to twenty-five per cent.

Referred to the Committee on Assessment and Taxation.

House Bill No. 31, An act to declare Charles A. B. Jackson, a minor, of lawful age.

Referred to the Committee on Judiciary.

House Bill No. 32, An act to create and establish a State road, in Mitchell, Lincoln and Ellsworth counties.

Referred to the Committee on Judiciary.

House Bill No. 33, An act to empower Orrin F. Miller to hold and transfer property, and transact business as if he had attained majority.

Referred to the Committee on Judiciary.

House Bill No. 34, An act declaring section lines public highways in Smith county.

Referred to the Committee on Counties and County Lines.

House Bill No. 35, An act to legalize the official acts of a township assessor and deputy assessor.

Referred to the Committee on Judiciary.

House Bill No. 36, An act to create the fifteenth judicial district, and to provide for a judge thereof, and for holding the terms of court therein.

Referred to the Committee on Judiciary.

House Joint Resolution No. 1, Asking for the establishment of a territorial government for the Indian Territory.

Referred to the Committee on Federal Relations.

House Joint Resolution No. 2, Providing for a Constitutional Convention.

Referred to the Committee on Judiciary.

House Joint Resolution No. 3, Recommending a Constitutional Convention.

Referred to the Committee on Judiciary.

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Mr. Veale moved to suspend the rules and have all the bills read a first time to-day, read the second time now.

Which motion prevailed.

House Bill No 37, An act supplemental to an act entitled an act supplemental to an act respecting executors and administrators, and the settlement of estates of deceased persons.

Referred to the Committee on Judiciary.

House Bill No. 38, An act to amend section 1 of chapter 45 of the laws of 1868, concerning the protection of game.

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 39, An act to amend an act to incorporate cities of the second class, and to repeal former acts.

Referred to the Committee on Cities of the Second Class.

House Bill No. 40, An act in relation to Penitentiary convicts, and to amend section 28 of chapter 77 of the General Statutes of 1868.

Referred to the Committee on Judiciary.

House Bill No. 41, An act to amend sections 1 and 2 of chapter 105, in relation to stock, approved March 2, 1868.

Referred to the Committee on Judiciary.

House Bill No. 42, An act in relation to the issuing of municipal bonds, and amendatory to section 3, chapter 68, of the Session Laws of 1872.

Referred to the Committee on Judiciary.

House Bill No. 43, An act to amend sections 325 and 328 of article 16 of the code of criminal procedure.

Referred to the Committee on Judiciary.

House Bill No. 44, An act relating to State roads in the counties of Ellis, Rooks and Phillips.

Referred to the Committee on Roads and Highways.

House Bill No. 45, An act to authorize the consolidation of bridge companies organized under the laws of this State with similar companies organized under the laws of an adjoining State.

Referred to the Committee on Judiciary.

House Bill No. 46, An act to amend an act entitled an act to legalize building, loan and savings institutions, and to declare their acts valid, approved March 3, 1870.

Referred to the Committee on Judiciary.

House Bill No. 47, An act authorizing Henry A. Hunting, a minor, to exercise the rights of majority.

Referred to the Committee on Judiciary.

House Bill No. 48, An act legalizing certain acts of the city council of the city of Wichita.

Referred to the Committee on Cities of Second Class.

House Bill No. 49, An act to amend section 1 of article 1 of chapter 81 of the General Statutes of civil procedure before justices.

Referred to the Committee on Judiciary.

House Bill No. 50, An act to amend certain specified sections of chapter 150 of the session acts of 1871, being an act amendatory and supplemental to an act to provide for the assessment and collection of taxes, approved February 27, 1868, and approved March 4, 1869.

Referred to the Committee on Railroads.

House Bill No. 51, An act to amend certain specified sections of chapter 107 of the General Statutes, being an act to provide for the assessment and collection of taxes and suspending the penalty under certain conditions.

Referred to the Committee on Assessment and Taxation.

House Bill No. 52, An act to amend the 6th section of an act approved March 3, 1863, relating to mills and millers.

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 53, An act to amend an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases.

Referred to the Committee on Judiciary.

House Bill No. 54, An act to amend section 1 of an act entitled an act to provide for holding court in certain counties therein named, comprising the seventh judicial district.

Referred to a Select Committee of three of the seventh judicial district.

House Bill No. 55, An act to create the office of public administrator in the various counties of the State.

Referred to the Committee on Judiciary.

House Bill No. 56, An act to enable Frank Neal, a minor, to exercise the rights of majority.

Referred to the Committee on Judiciary.

House Bill No. 57, An act to authorize the city of Independence to issue bonds of the city to liquidate the indebtedness of said city.

Referred to the Committee on Judiciary.

House Bill No. 58, An act relating to strays and amendatory to section 13 of chapter 105 of the General Statutes of 1868.

Referred to the Committee on Agriculture and Manufacture.

Mr. Titus offered the following as a minority report of the Committee on Election in the case of *Waterman vs. Adams*:

*To the Honorable, the House of Representatives of the State of Kansas:*

In the case of *Waterman vs. Adams*, contestants to a seat upon the floor of the House of Representatives elect from the 98th district, Russell county, Kansas, your Committee on Election in the minority, upon examination of the papers referred, and a hearing of counsel for contestor and contestee, find the following facts substantiated:

1. That the people of Russell county, Kansas, were seriously divided as to the question of county seat location at the time of holding the last general election, and that the contestants in this case were each supported in the main for Representative by the respective friends of the two localities at issue in contest for the county seat. The town of Russell, originally designated as the temporary county seat of Russell county upon its organization as a county, supporting Mr. Waterman, and the town of Bunker Hill, claiming the county seat, the result of an election held subsequent, supporting Mr. Adams.

2. That the returns of the election by which the parties in the case were voted for, were, in the case of Waterman, canvassed at the town of Russell, by the special county clerk and one member of the board of county commissioners, and duly forwarded to the State Board of Canvassers, while upon the other side, the returns were canvassed at the town of Bunker Hill by two members of the board of county commissioners and a clerk by their appointment, and duly forwarded to the State Board.

3. That the State Board of Canvassers in canvassing the election returns from Russell county, governed by the law requiring that a majority of the board of county commissioners shall canvass returns which shall have been made to their offices, did issue their certificate of election to Mr. Adams, the contestor, and totally ignored the set of returns canvassed at the town of Russell.

4. That the returns canvassed in Russell county for the election held on the fifth day of November, A. D. 1872, and forwarded to the State Board of Canvassers, were as follows:

Bunker Hill canvass for Representative:

Adams, 152; Waterman, 15. Total, 167.

Russell canvass for Representative:

Waterman, 197; Adams, 5. Total, 202.

Exhibiting a majority of 55 votes in favor of Mr. Waterman, the contestor, had the combined vote of Russell county been canvassed by the State Board of Canvassers.

Your Committee in minority would respectfully submit the foregoing report and ask the adoption of the following resolution:

*Resolved*, That the House appoint a commission to proceed to Russell county, Kansas, to take depositions in the contest case of Waterman vs. Adams, for a seat in the House of Representatives during its thirteenth session.

C. W. TITUS,

*Minority Committee.*



Mr. Robinson moved a recess till five minutes before 12 o'clock.

Which motion prevailed.

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House called to order.

On motion of Mr. Scofield, the Chief Clerk was directed to inform the Senate that the House is now ready to meet in Joint Convention.

House and Senate went into Joint Convention.

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JOINT CONVENTION.

HOUSE OF REPRESENTATIVES, }  
TOPEKA, KANSAS, January 21, A. D. 1873. }

Pursuant to the provision of the Constitution of the State of Kansas, in reference to State printing, the members of the two Houses of the Legislature of the State of Kansas met in Joint Convention for the election of State Printer, in the Hall of the House of Representatives, at 12 o'clock M., on Tuesday, January 21, 1873.

Lieutenant Governor Stover in the Chair.

The roll of the Senate was called by the Secretary of the Senate.

Senators present and answering to their names were:

Messrs. Barker, Blair, Brandley, Butler, Crichton, Edwards, Ely, Grimes, Guerin, Johnson, Judd, Martin, Martindale, Matheny, McFarland, McWirt, Moonlight, Morrill, Murdock, O'Neil, Palmer, Price, Rogers, Schmidt, Simmons, St. John, J. C. Wilson, V. P. Wilson, Winter and York.

Being a quorum of the Senate.

The roll of the House was called by the Chief Clerk.

The following members were present and answered to their names:

Messrs. D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochran, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hungerford, Hutchings, Hutchison, Huntington J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searoy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

The Secretary of the Senate then read Senate Concurrent Resolution No. 8.

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein :*

That there be holden a Joint Session of the Legislature in the House of Representatives, Tuesday next, January 21, 1873, at 12 o'clock M., for the purpose of electing a State Printer.

Mr. Veale offered the following resolution :

*Resolved*, That as the name of each member of this convention shall be called, he shall rise in his place and announce the name of the person whom he shall desire to become State Printer.

Which was adopted.

The Secretary then called the roll of the Senate with the following result:

Mr. S. S. Prouty received 15 votes.

Mr. George W. Martin received 16 votes.

Senators voting for Mr. Prouty were:

Messrs. Barker, Butler, Crichton, Edwards, Grimes, Martindale, McFarland, Morrill, Murdock, O'Neil, Palmer, Price, Schmidt, St. John and J. C. Wilson.

Senators voting for Mr. Martin were:

Messrs. Blair, Brandley, Ely, Guerin, Johnson, Judd, Martin, Matheny, McWirt, Moonlight, Rogers, Simons, Topping, V. P. Wilson, Winter and York.

The Chief Clerk then called the roll of the House with the following result:

Mr. Prouty received 50 votes.

Mr. Martin received 46 votes.

The following named gentlemen in the House voted for Mr. Prouty:

Messrs. D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Bowers, Bowron, Childs, Cross, Cummings, Davis, De Forrest, Eldridge, Ensign, Gillespie, Gregg, Harper, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Kalloch, Lane, Larkin, Legere, Mapes, McDermott, Nugent, Peck, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Smith, Spaulding, Titus, Veale, Vickers, Ward, Wakefield, Wells and Willets.

The following named gentlemen in the House voted for Mr. Martin:

Messrs. Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Brenner, Brinkman, Brown, Buchan, Cochran, Crew, Curtain, Dillard, Fields, Frazier, Funston, Green, Guffy, Harvey, Hoesman, Hungerford, Hutchings, James, Jeffrey, Kahler, Lanter, Lowrey, Lowe, McDonald, McLean, Miller, Morgan, Morrison, Motz, O'Driscoll, Plummer, Reasoner, Simpson, Snyder, Stratton, Tough, Turner, Weaver and Mr. Speaker Kellogg.

Mr. Prouty received 65 votes.

Mr. Martin received 52 votes.

There being no election the convention proceeded to a second ballot.

The Secretary called the roll of the Senate with the following result:

Mr. Prouty received 14 votes.

Mr. Martin received 17 votes.

Senators voting for Mr. Prouty were:

Messrs. Butler, Barber, Crichton, Edwards, Grimes, Martindale, McFarland, Morrill, Murdock, O'Neil, Palmer, Price, Schmidt and J. C. Wilson.

Senators voting for Mr. Martin were:

Messrs. Blair, Brandley, Ely, Guerin, Johnson, Judd, Martin, Matheny, McWirt, Moonlight, Rogers, Simons, St. John, Topping, V. P. Wilson, Winter and York.

The Chief Clerk then called the roll of the House with the following result:

Mr. Prouty received 49 votes.

Mr. Martin received 47 votes.

The following named gentlemen in the House voted for Mr. Prouty:

Messrs. D. M. Adams, Allen, Bacon, Baker, Ranta, Bateman, Bowers, Bowron, Childs, Cross, Cummings, Davis, DeForrest, Eldridge, Ensign, Gillespie, Gregg, Harper, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Kalloch, Lane, Larkin, Legere, Mapes, McDermott, Nugent, Peck, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Smith, Spaulding, Titus, Veale, Ward, Wakefield, Wells and Willets.

The following named gentlemen in the House voted for Mr. Martin:

Messrs. Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Brenner, Brinkman, Brown, Buchan, Cochrane, Crew, Curtain, Dillard, Fields, Frazier, Funston, Green, Guffy,

Harvey, Heesman, Hungerford, Hutchings, James, Jeffrey, Kahler, Lanter, Lowrey, Lowe, McDonald, McLean, Miller, Morgan, Morrison, Motz, O'Driscoll, Plummer, Reasoner, Simpson, Snyder, Stratton, Tough, Turner, Vickers, Weaver and Mr. Speaker Kellogg.

There being no election as yet, Mr. Veale moved to adjourn till to-morrow at 12 o'clock M.

The yeas and nays were demanded which resulted as follows on calling the roll of the Senate :

Yeas, 13 ; nays, 18.

Senators voting yea were :

Messrs. Barker, Butler, Crichton, Edwards, Grimes, Martindale, Morrill, Murdock, Palmer, Price, Rogers, Schmidt and J. C. Wilson.

Senators voting nay were :

Messrs. Blair, Brandley, Ely, Guerin, Johnson, Judd, Martin, Matheny, McFarland, McWirt, Moonlight, O'Neil, Simons, St. John, Topping, V. P. Wilson, Winter and York.

The roll of the House was then called with the following result :

Yeas, 45 ; nays, 51.

The following named gentlemen of the House voted yea :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Bowers, Bowron, Brown, Childs, Cummings, Davis, De Forest, Eldridge, Frazier, Gillespie, Gregg, Harper, Henshaw, Hodges, Hutchinson, W. J. Hunter, Kalloch, Lane, Larkin, Legere, Mapes, McDermott, Miller, Morgan, O'Driscoll, Plummer, Robinson, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Spaulding, Veale, Vickers, Wakefield, Wells and Willets.

The following named gentlemen of the House voted nay :

Messrs. Allen, Seaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Brenner, Brinkman, Buchan, Cochrane, Crew, Cross, Curtain, Dillard, Ensign, Fields, Funston, Green, Guffy,

Harvey, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lanter, Lowrey, Lowe, McDonald, McLean, Morrison, Motz, Nugent, Peck, Reasoner, Rohrabacher, Simpson, Smith, Snyder, Stratton, Titus, Tough, Turner, Ward, Weaver and Mr. Speaker Kellogg.

The motion of Mr. Veale was lost.

Mr. Scofield then moved to adjourn until 10 o'clock A. M. to-morrow.

The yeas and nays being demanded,

The Secretary called the roll of the Senate with the following result:

Yeas, 12; nays, 19.

Senators voting yea were:

Messrs. Butler, Barker, Crichton, Edwards, Grimes, Martindale, Morrill, Murdock, Palmer, Price, Rogers and Schmidt.

Senators voting nay were:

Messrs. Blair, Brandley, Ely, Guerin, Johnson, Judd, Martin, Matheny, McFarland, McWirt, Moonlight, O'Neil, Simons, St. John, Topping, J. C. Wilson, V. P. Wilson, Winters and York.

The Chief Clerk of the House then called the roll of the House with the following result:

Yeas, 46; nays, 47.

The following gentlemen of the House, as their names were called, voted yea:

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Bowers, Bowron, Brown, Cummings, Davis, DeForest, Eldridge, Frazier, Funston, Gillespie, Green, Harper, Henshaw, Hodges, Hoesman, Hutchinson, J. M. Hunter, W. J. Hunter, James, Kalloch, Larkin, Legere, Mapes, McDermott, Miller, Morgan, Nugent, Plummer, Robinson, Ross, Scofield, Searoy, Sellers, Sexton, Shaw, Shoemaker, Spaulding, Veale, Wakefield, Wells and Willetts.

The following gentlemen of the House, as their names were called, voted nay:

Messrs. Allen, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Brenner, Brinkman, Buchan, Childs, Cochran, Cooper, Crew, Cross, Curtain, Dillard, Ensign, Fields, Green, Guffy, Harvey, Hungerford, Hutchings, Huntington, Jeffrey, Kahler, Lanter, Lowrey, Lowe, McDonald, McLean, Morrison, Motz, O'Driscoll, Peck, Reasoner, Rohrabacher, Simpson, Smith, Snyder, Stratton, Titus, Tough, Turner Ward, Weaver and Mr. Speaker Kellogg.

The motion to adjourn until 10 o'clock to-morrow was lost.

Mr. J. C. Wilson then moved to adjourn until 3 o'clock p. m. this day.

The yeas and nays being demanded,

The Secretary called the roll of the Senate with the following result.

Yeas, 15; nays, 16.

Senators voting yea were:

Messrs. Butler, Barker, Crichton, Edwards, Grimes, Martin, Martindale, Morrill, Murdock, Palmer, Price, Rogers, Schmidt, J. C. Wilson and V. P. Wilson.

Senators voting nay were:

Messrs. Blair, Brandley, Ely, Guerin, Johnson, Judd, Mathony, McFarland, McWirt, Moonlight, O'Neil, Simons, St. John, Topping, Winters and York.

The Chief Clerk then called the roll of the House with the following result:

Yeas, 59; nays, 32.

The following gentlemen of the House, as their names were called, voted yea:

Messrs. D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Belden, Bell, Billings, Bowers, Bowron, Brinkman, Buchan, Cummings, Davis, DeForrest, Eldridge, Ensign, Fra-

zier, Funston, Gillespie, Gregg, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Legere, Mapes, McDermott, Morgan, Nugent, O'Driscoll, Peck, Robinson, Rohrabacher, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Spaulding, Titus, Turner, Veale, Wakefield, Wells and Willets.

The following named gentlemen of the House, as their names were called, voted nay :

Messrs. Beaty, Bishop, Blakely, Bond, Brenner, Brown, Cochrane, Crew, Cross, Dillard, Fields, Green, Guffy, Harvey, Hutchings, Lanter, Lowrey, Lowe, McDonald, McLean, Miller, Morrison, Motz, Plummer, Reasoner, Ross, Simpson, Smith, Snyder, Stratton, Tough, Ward Weaver and Mr. Speaker Kellogg.

A majority having voted in the affirmative, the Joint Convention adjourned until 3 o'clock P. M.

On motion,

The House adjourned until 2:30 P. M.

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#### AFTERNOON SESSION.

2:30 o'clock P. M.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.



The following members were present and answered to their names:

Messrs. D. M. Adams, Allen, Bacon, Banta, Bateman, Beaty, Belden, Bell, Billings, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Ensign, Fields, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Scofield, Searoy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Titus, Tough, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

House called to order 2:55 P. M.

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#### AFTERNOON SESSION—JOINT CONVENTION.

TUESDAY, January 21, 1873.

Lieutenant Governor Stover in the Chair.

The roll of the Senate was called by the Secretary of the Senate.

Senators present and answering to their names were:

Messrs. Barker, Blair, Butler, Crichton, Edwards, Ely, Grimes, Guerin, Johnson, Judd, Martin, Martindale, Matheny,

McFarland, McWirt, Moonlight, Morrill, Murock, O'Neil, Price, Rogers, Schmidt, Simons, Simpson, St. John, Topping, J. C. Wilson, V. P. Wilson, Winter and York.

Being a quorum of the Senate.

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The roll of the House was called by the Chief Clerk.

The following members were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Batsman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Briakman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchison, Huntington J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Spaulding, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

The president announced that the Joint Convention was ready to proceed with the election of State Printer.

The Secretary called the roll of the Senate with the following result:

Mr. Prouty received 13 votes.

Mr. Martin received 18 votes.

Senators voting for Mr. Prouty were:

Messrs. Barker, Butler, Crichton, Edwards, Grimes, Mar-

tindale, McFarland, Morrill, Murdock, Palmer, Price, Schmidt and J. C. Wilson.

Senators voting for Mr. Martin were:

Messrs. Blair, Ely, Guerin, Johnson, Judd, Martin, Matheny, McWirt, Moonlight, O'Neil, Rogers, Simons, Simpson, St. John, Topping, V. P. Wilson, Winter and York.

The Chief Clerk then called the roll of the House with the following result:

Mr. Martin received 50 votes.

Mr. Prouty received 45 votes.

The following named gentlemen in the House voted for Mr. Martin:

Messrs. Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Curtain, Dillard, Fields, Forsee, Funston, Green, Guffy, Harvey, Henshaw, Hungerford, Hutchings, James, Jeffrey, Kahler, Lane, Lanter, Lowrey, Lowe, McDonald, McLean, Miller, Morgan, Morrison, Motz, O'Driscoll, Plummer, Reasoner, Simpson, Snyder, Stratton, Tough, Turner, Vickers, Ward, Weaver and Mr. Speaker Kellogg.

The following named gentlemen in the House voted for Mr. Prouty:

Messrs. D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Bowers, Bowron, Cress, Cummings, Davis, De Forrest, Eldridge, Ensign, Frazier, Gillespie, Gregg, Harper, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Kallloch, Larkin, Legere, Mapes, McDermott, Nugent, Peck, Robinson, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Smith, Spaulding, Titus, Veale, Wakefield, Wells and Willets.

Pending the call of the House roll Mr. York challenged the vote of Mr. Veale, by reason of his having a pecuniary interest in the *Commonwealth Printing Company*.

The President decided that Mr. Veale had a right to vote.

George W. Martin, of the county of Davis, having received a constitutional majority was declared duly elected by the Joint Convention to the office of State Printer of the State of Kansas.

In accordance with the result of the proceedings of the Joint Convention for the election of State Printer, the President of the Senate and the Speaker of the House of Representatives submitted the following certificate:

We hereby do certify that the Senate and House of Representatives of the State of Kansas in Joint Convention assembled, at Topeka, the capital of said State, did, on the third Tuesday in January, A. D. 1873, elect George W. Martin to the office of State Printer for the State of Kansas, in pursuance of the Constitution of said State:

E. S. STOVER,  
*President of the Senate.*

Attest: GEO. C. CROWTHER,  
*Sec'y of the Senate.*

JOSIAH KELLOGG,  
*Speaker of the House of Representatives.*

Attest: A. R. BANKS,  
*Chief Clerk.*

On motion of Mr. Murdock the Joint Convention dissolved.

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On motion,

The House adjourned to meet at 10 o'clock, A. M.

A. R. BANKS,  
*Chief Clerk.*

MORNING SESSION.

WEDNESDAY, JANUARY 22, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bate-  
man, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond,  
Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew,  
Cross, Cummings, Curtain, Davis, De Forrest, Dillard, El-  
dridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Green,  
Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hun-  
gerford, Hutchings, Hutchinson, Huntington, J. M. Hunter,  
W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Lar-  
kin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott,  
McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent,  
O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher,  
Scotfield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson,  
Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner,  
Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and  
Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. McCabe.

The Journal of yesterday was read and approved.

Mr. Willets moved to suspend the further reading of the  
Journal.

Which motion was lost.

Mr. D. M. Adams arose to a question of privilege.

Mr. Bond moved to amend the Journal of the joint convention so as to show that Mr. Price appealed from the decision of the Chair in certain matters.

Which motion prevailed.

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PETITION PRESENTED.

Mr. McLean presented the petition of Raleigh Horton and ninety others for change in county lines in Marion county, Kansas.

Referred to the Committee on County Lines and County Seats.

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REPORTS OF STANDING COMMITTEES.

Mr. Allen, Chairman of the Committee on County Seats and County Lines, submitted the following reports:

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 7, An act to regulate taxation on the change of boundary lines,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be referred to the Committee on Judiciary.

Which was so referred.

E. B. ALLEN,  
*Chairman.*

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 23, An act to amend section 75 of chapter 24 of the General Statutes, defining the boundaries of counties,

Have had the same under consideration, and instruct me to report a substitute, and recommend the passage of the same.

E. B. ALLEN,

*Chairman.*

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 11, An act to amend section 2 and section 4 of chapter 26 of the General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that section 2 be stricken out and that the bill pass.

E. B. ALLEN,

*Chairman.*

Mr. Bowers, Chairman of the Committee on Elections, submitted the following reports:

MR. SPEAKER: Your Committee, to whom was referred the case of contest in Pawnee county, between Messrs. Rogers and Booth, claiming seats in the Legislature, beg leave to report the following facts in the case:

1. Upon the advice of Hon. A. L. Williams, Attorney General and members of the State Board of Canvassers, decided not to canvass the vote of Pawnee county, and hence no certificate of election was issued to either of the parties claiming a seat in the Legislature.

2. The organization of the county of Pawnee was made and completed in the city of Topeka on the fourth day of November, 1872, and the pretended election held in the said county on November 5, 1872, was without any notice to the people of the county, and evidently shows that the will of the people could not have been fully and properly expressed at the said election, occurring the day after the organization of the county, and hence your Committee reports that neither of the persons now claiming seats in the House under said pretended election are entitled to be admitted as members of this Legislature.

M. BOWERS, *Chairman.*

**MR. SPEAKER:** Your Committee to whom was referred the applications of certain persons to be admitted to seats in the Legislature from organized counties in the State, and with the admission of whom the number of the members of this House will be increased above one hundred, beg leave most respectfully to report that the questions prescribed to them have been carefully considered, and your Committee are forced to say that matters therein referred are not entirely relieved from embarrassment. But your Committee are of the opinion that each organized county should have a Representative, both as a matter of law and of right, in all cases where the elections have been held in said organized counties in due form and members have been elected. Unless the conclusion is sustained many of the pioneers of our frontier borders are deprived of all voice in the Legislature of the State, and are unjustly made the victims of taxation without representation. There is no provision in the law providing that the electors of an organized county shall be permitted to vote for a member of the Legislature from an adjoining county, in that the organized counties in any part of the State shall be attached to other counties to enable the county to be represented other than by one of its own citizens, and believing that a true interpretation of the Constitution that each organized county shall have at least one Representative, we report in favor of the admission of the members from the western organized counties, except in cases of contest, and ask that their names be duly entered on the roll of the House.

**M. B. BOWERS,**  
*Chairman.*

By unanimous consent, Mr. Motz was granted time to prepare papers in the contest case of Rogers vs. Booth, of Pawnee county.

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following report:

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred



House Bill No. 21, An act to vacate cemetery grounds in Blue Rapid City, Marshall county,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 5, An act authorizing the county commissioners of Cowley county, Kansas, to issue bonds to liquidate the indebtedness of said county,

Have had the same under consideration, and instruct me to report the bill back to the House and recommend its passage.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 14, An act to amend section 89, article 9, chapter 23 of the General Statutes of 1868, and section 2 of chapter 105 of the laws of 1872, concerning private corporations,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 17, An act to enable the county commissioners of Republic county to issue bonds to pay their indebtedness,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it pass.

A. J. BANTA,  
*Chairman,*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 9, An act for the relief of George Campbell,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

A. J. BANTA,  
*Chairman.*

Mr. Fields was granted leave to make a minority report in regard to admitting members in excess of one hundred.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 10, Relating to newspapers,

In which your concurrence is respectfully desired.

GEORGE C. CROWTHER,  
*Secretary.*

Mr. Hutchinson moved to insert fifty instead of twenty-five.

Mr. Baker offered the following amendment:

Providing that no paper be paid for by the State, except upon lists filed with the Committee of Ways and Means of the House or Senate.

The resolution as amended being put on its final vote, the yeas and nays were demanded.

The following gentlemen voted yea :

Messrs. Bacon, Baker, Banta, Bell, Bishop, Blakely, Bowers, Bowron, Brinkman, Buchan, Childs, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Eldridge, Forsee, Gillespie, Green, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, Kahler, Kalloch, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, Morgan, Morrison, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Vickers, Wakefield, Weaver and Wells.

The following gentlemen voted nay :

Messrs. D. M. Adams, Allen, Bateman, Beaty, Belden, Billings, Blakely, Bond, Brenner, Brown, Cochrane, Cooper, Ensign, Fields, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Hungerford, Huntington, James, Jeffrey, Lane, McDonald, McLean, Miller, Motz, Nugent, O'Driscoll, Peck, Smith, Veale, Ward, Willetts and Mr. Speaker Kellogg.

Mr. Buchan moved to take up the case of *Waterman vs. Adams*.

Which motion prevailed.

The majority and minority reports of the Committee were both read.

Mr. Buchan moved to adopt the majority report.

Mr. Reasoner moved to adopt the minority report.

The majority report was, on motion, adopted.

Mr. Spaulding moved to reconsider the vote by which the majority report was adopted.

Mr. Buchan moved that the motion be laid on the table.

Which motion prevailed.

On motion,

The House adjourned.

## AFTERNOON SESSION.

WEDNESDAY, January 22, 1873.

House called to order.

Speaker in the chair.

The following gentlemen answered to their names :

Messrs. Bacon, Banta, Bateman, Beaty, Belden, Bishop, Blakely, Bond, Bowers, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Crow, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Titus, Tough, Turner, Vickers, Wakefield, Weaver, Wells, Willetts and Mr. Speaker Kellogg.

Quorum present.

Mr. Reasoner offered the following resolution :

*Resolved*, That the House do now admit and swear into membership, those persons whose seats are not contested, the admission of whom will raise the number of members of this House to more than the Constitutional limits of one hundred, but will preserve the integrity and force of that other more important feature of the Constitution which provides that no organized county shall be without representation.

Mr. Buchan moved that the resolution be laid on the table.

Which motion prevailed.

Mr. Mapes moved to reconsider the motion for the Committee to investigate charges against H. G. Webb, judge of the eleventh judicial district, and that said Committee be increased to five with power to send for persons and papers.

Which motion prevailed.

Mr. Hodges offered the following Concurrent Resolution No. 6, Asking Congress to amend section 3, article 1, of the Constitution of the United States, so as to make Senators elective by the people.

Which resolution was read and laid over under the rules.

Mr. Buchan offered the following resolution :

*Resolved*, That the Committee on Elections in making up its reports on the admission of members from newly organized counties, be intrusted to ascertain the date of the organization of their respective counties, the regularity of such organization and the time and regularity of holding their elections, and report such information to this House.

Which resolution was adopted.

Mr. Miller offered the following House Concurrent Resolution No. 7, In reference to newspapers.

Which was read and laid over under the rules.

Mr. Kahler offered the following resolution :

*Resolved*, That the Committee on Agriculture take into consideration the propriety of establishing the office of State Entomologist.

The resolution was lost.

Mr. Reasoner offered the following resolution :

*Resolved*, That the Judiciary Committee, in conjunction with the Committee on Frontier, be instructed to prepare immediately a bill (supplementary to chapter 24 of the General Statutes of 1868,) defining the boundaries and assigning the names of counties which shall occupy the territory of Western Kansas.

Mr. Bond moved to amend the Journal of the joint convention so as to show that Mr. Price appealed from the decision of the Chair in certain matters.

Which motion prevailed.

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PETITION PRESENTED.

Mr. McLean presented the petition of Raleigh Horton and ninety others for change in county lines in Marion county, Kansas.

Referred to the Committee on County Lines and County Seats.

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REPORTS OF STANDING COMMITTEES.

Mr. Allen, Chairman of the Committee on County Seats and County Lines, submitted the following reports:

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 7, An act to regulate taxation on the change of boundary lines,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be referred to the Committee on Judiciary.

Which was so referred.

E. B. ALLEN,  
*Chairman.*

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 23, An act to amend section 75 of chapter 24 of the General Statutes, defining the boundaries of counties,

Have had the same under consideration, and instruct me to report a substitute, and recommend the passage of the same.

E. B. ALLEN,  
*Chairman.*

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 11, An act to amend section 2 and section 4 of chapter 26 of the General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that section 2 be stricken out and that the bill pass.

E. B. ALLEN,  
*Chairman.*

Mr. Bowers, Chairman of the Committee on Elections, submitted the following reports:

MR. SPEAKER: Your Committee, to whom was referred the case of contest in Pawnee county, between Messrs. Rogers and Booth, claiming seats in the Legislature, beg leave to report the following facts in the case:

1. Upon the advice of Hon. A. L. Williams, Attorney General and members of the State Board of Canvassers, decided not to canvass the vote of Pawnee county, and hence no certificate of election was issued to either of the parties claiming a seat in the Legislature.

2. The organization of the county of Pawnee was made and completed in the city of Topeka on the fourth day of November, 1872, and the pretended election held in the said county on November 5, 1872, was without any notice to the people of the county, and evidently shows that the will of the people could not have been fully and properly expressed at the said election, occurring the day after the organization of the county, and hence your Committee reports that neither of the persons now claiming seats in the House under said pretended election are entitled to be admitted as members of this Legislature.

M. BOWERS, *Chairman.*

Read first time.

By Mr. Green,

House Bill No. 69, An act to authorize the county of Lincoln to issue fifteen thousand dollars in bonds to buy a farm for the poor.

Read first time.

By Mr. Green,

House Bill No. 70, An act to authorize Henry Buzick to construct and maintain a mill dam across the Saline river.

Read first time.

By Mr. Green,

House Bill No. 71, An act to amend an act to increase the terms of court in Lincoln, Kansas.

Read first time.

By Mr. Green,

House Bill No. 72, An act to authorize the commissioners of Lincoln county, Kansas, to issue seventy thousand dollars to build a court house and bridges.

Read first time.

By Mr. Green,

House Bill No. 73, An act to legalize the official acts of Henry Vernon, in Lincoln county.

Read first time.

By Mr. Blakely,

House Bill No. 74, An act supplemental to an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases.

Read first time.

By Mr. Banta,

House Bill No. 75, An act to amend section 2 of an act entitled an act amendatory of and supplemental to chapter 93



of the General Statutes relating to school district bonds, approved February 28, 1872.

Read first time.

By Mr. Cross,

House Bill No. 77, An act to amend chapter 105 of the laws of 1872, section 2 of an act entitled an act to amend section 4 of chapter 23 of the laws of 1868, and section 1 of chapter 65 of the laws of 1871, concerning private corporations.

Read first time.

By Mr. Cross,

House Bill No. 78, An act to authorize School District No. 1, Coffey county, to issue additional bonds.

Read first time.

By Mr. Hodges,

House Bill No. 79, An act to amend section 13 of chapter 25 of the General Statutes of 1868, relating to meeting of county boards.

Read first time.

By Mr. DeForrest,

House Bill No. 80, An act to amend an act to provide for the sale of school lands.

Read first time.

By Mr. O'Driscoll,

House Bill No. 81, An act relating to municipal boards and amendatory of sections 13 and 15 of chapter 68 of the session acts of 1872, and providing for the registration of the same.

Read first time.

By Mr. Bishop.

House Bill No. 82, An act legalizing the official acts of certain parties therein named.

Read first time.

By Mr. Banta,

House Bill No. 83, An act to define the boundaries of the twelfth judicial district, and to regulate the the terms of court therein.

Read first time.

Mr. Lanter moved that the rules be suspended and bills just introduced be read a second time now and referred to the appropriate committees.

Which motion prevailed.

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BILLS ON SECOND READING.

House Bill No. 59, An act to appropriate money to erect center buildings and the west wing of the State Insane Asylum buildings.

Read the second time, and

Referred to the Committee on Public Institutions.

House Bill No. 60, An act to vacate a certain alley in the city of Garnett.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 61, An act to legalize street railways and declare their acts valid.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 62, An act in relation to street and city railroads.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 63, An act to amend chapter 23 of the

Laws of Kansas, approved Feb. 29, 1868, concerning private corporations.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 64, An act concerning private corporations.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 65, An act to provide for the protection of sheep and poultry.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 66, An act to amend an act regulating the jurisdiction and procedure of justices of the peace in civil cases.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 67, An act to amend an act entitled an act to regulate the jurisdiction and procedure before justices of the peace in civil cases.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 68, An act to authorize the board of county commissioners of Lincoln county to sell any or all property belonging to said county in the old town site of Abram, Lincoln county, Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 69, An act to authorize the county of Lincoln to issue fifteen thousand dollars in bonds to buy a farm for the poor.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 70, An act to authorize Henry S. Buzick to construct and maintain a mill dam across the Saline river.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 71, An act to amend an act to increase the term of court in Lincoln county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 72, An act to authorize the commissioners of Lincoln county, Kansas, to issue seventy thousand dollars to build a court house and bridges.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 73, An act to legalize the official acts of Henry Vernon, in Lincoln county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 74, An act supplemental to an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 75, An act to amend section 3 of an act entitled an act amendatory of and supplemental to chapter 98 of the General Statutes, relating to school district bonds, approved Feb. 28, 1872.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 76, An act to amend an act on the location of roads and highways.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 77, An act to amend chapter 105, Laws of 1872, section 2 of an act entitled an act to amend section 4 of chapter 23 of Laws of 1868, and section 1 of chapter 65 of Laws of 1871, concerning private corporations.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 78, An act to authorize School District No. 1, Coffey county, to issue additional bonds.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 79, An act to amend section 13 of chapter 25 of the General Statutes of 1868, relating to meeting of county boards.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 80, An act to amend an act to provide for the sale of school lands.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 81, An act relating to municipal bonds and amendatory of sections 13 and 15 of chapter 68 of the session acts of 1872, and providing for the registration of the same.

Read second time, and

Referred to the Committee on Judiciary.

House Bill No. 82, An act legalizing the official acts of certain parties named therein.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 83, An act to define the boundaries of the twelfth judicial district, and to regulate the terms of court therein.

Read the second time, and

Referred to the Committee on Judiciary.

The Speaker announced the following Committees :

Committee on Agriculture and Pomology—Field, Harvey, Weller, Stratton and Ensign.

Committee on the Frontier—Reasoner, Bishop, Rosa, Weaver and Cummings.

Committee on examination of Judge H. G. Webb, of the Eleventh Judicial District—Mapes, Hutchinson, DeForrest, Cross and Bond.

Mr. Veale, Chairman of the Special Committee, to whom the Governor's Message was referred, submitted the following report :

MR. SPEAKER: Your Special Committee, to whom was referred the Governor's message, for the purpose of apportioning the recommendations therein contained to the appropriate Standing Committee, respectfully report that they have had the matter under consideration, and recommend that that portion of the message in reference to finance be referred to the Committee on Finance.

That portion in relation to public schools to the Committee on Education.

That portion in relation to the State University, Agricultural College, State Normal School, Insane, Blind, Deaf and Dumb Asylums, Penitentiary, Reform School and Public Institutions and Buildings, to the Committee on Public Institutions.

That portion in relation to agriculture to the Committee on Agriculture.

That portion in relation to a geological cabinet to the Committee on Public Institutions.

That portion in relation to constitutional amendments to the Committee on the Judiciary.

That portion in relation to the Senatorial election to the Committee on Retrenchment and Reform.

That portion in relation to the tax laws to the Committee on Assessment and Taxation.

That portion in relation to the reports of the Supreme Court to the Committee on State Library.

That portion in relation to the act defining the duties of State officers to the Committee on the Judiciary.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Baker,

The House went into Committee of the Whole for the consideration of House Bill No. 1 and No. 6.

Mr. Veale in the chair.

After some time spent therein, the Committee arose and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration

House Bill No. 1, An act relating to the collection of taxes,

And have instructed me to report said bill back to the House recommending its rejection.

House Bill No. 6, An act to remit the penalty on unpaid taxes in certain cases,

And have instructed me to report said bill back to the House and recommend its passage with certain amendments therein named.

G. W. VEALE,  
*Chairman.*

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On motion,  
The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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### MORNING SESSION.

THURSDAY, JANUARY 23, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Bateman, Beaty, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowrown, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kallooh, Lane,



Larkin, Legere, Lowrey, Mapes, McDermott, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. D. P. Mitchell.

The Journal of yesterday was read and approved.

Mr. Bond moved that the report of the Committee on Elections in the case of *Baker vs. Forsee* be read.

Which motion prevailed.

Mr. Sellers asked permission to withdraw House Bill No. 22, which was granted.

Mr. Buchan offered the following as testimony:

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BAKER vs. FORSEE.

Henry D. Baker, *Contestor*, vs. Eric Forsee, *Contestee*, of right to a seat in the House of Representatives, from Saline county, the 84th representative district, in the State of Kansas, under and by virtue of the election of November, A. D. 1872.

Depositions of witnesses taken before me, A. G. Heylumn a Notary Public, in and for the District of Columbia, on the 16th day of December, A. D. 1872, between the hours of 1 o'clock, P. M. and 4 o'clock, P. M., pursuant to the annexed notice, to be read in evidence on behalf of said contestant, Henry D. Baker, in said contest.

William Van Vleck, of lawful age, being by me first duly cautioned, and solemnly sworn according to law, deposeth and saith in answer to the several questions put to him :

Question. What is your age, residence and occupation, and have you any interest in this contest ?

**Answer.** My age is fifty-three years. Now residing in Washington. I am corresponding clerk in the appointment office, in the United States Postoffice Department. I have no interest in the premises, directly or indirectly.

**Q.** Will you please state whether the office you hold, gives you charge of correspondence relating to the appointment and resignations of postmasters?

**A.** It does in those appointments and resignations within the State of Kansas. All the letters from that State in these matters come to my desk.

**Q.** Please state whether you have in your possession or custody a letter purporting to be from Eric Forsee, postmaster at Falun, Saline county, Kansas, and in which he tenders his resignation as postmaster.

**A.** I have such a letter in my custody.

**Q.** Can you produce the original letter referred to in preceding question. If so, you will please do so, and if not you will please give reasons?

**A.** The rules of the Postoffice Department will not allow the letter to be taken from the files, except from a proper requisition from a court.

**Q.** Can you produce a certified copy of the original, if so, you will please do it?

**A.** I herewith present a copy of the letters referred to, which I have compared carefully with the original in my possession, and it is a true copy in every respect. See exhibit marked "A."

**Q.** Can you state when this letter was received at this Department?

**A.** It was received at the Department the 29th day of November, 1872. All letters are endorsed with the date they are received at the Departments.

**Q.** Can you state when this resignation of Mr. Eric Forsee was officially accepted by the Department, and will you please furnish a copy of the letter of acceptance?

A. There was no letter of acceptance written. We send no notice to the man who goes out, of his successor. I herewith present a correct copy of the notice of the appointment of Mr. Forsee's successor, of date of 29th November, 1872. See exhibit marked "B."

Q. Will you please state such facts as are within your knowledge relating to the resignation of Eric Forsee as postmaster at Falun, Kansas.

A. On or about the 18th of November, 1872, a communication was received from Mr. Eric Forsee, that he had been elected a member of the Legislature of Kansas, and resigning his office as postmaster at Falun, Kansas. The date of that communication was November eleventh, 1872, and in reply thereto, I penned the usual notice to Hon. D. P. Lowe, under date of November 18th, 1872, which was signed by the Hon. James H. Marr, acting First Assistant Postmaster-General, and I herewith present a copy of same marked exhibit "C." That communication of Mr. Eric Forsee is not on file in the Postoffice Department; it was withdrawn by Hon. S. C. Pomeroy, United States Senator, and the one of November 1st, 1872, a copy of which is hereto appended, (Exhibit "A,") presented by Senator Pomeroy in its stead, and upon that action was had by appointing a successor to Mr. Forsee. I know nothing more of the matter.

WM. VAN VLECK.

(COPY.)

FALUN, SALINE Co., KAS., Nov. 1, 1872.

*To the Postmaster General, Washington, D. C.:*

I resign my position as postmaster at this place, and would respectfully recommend Olof Forsee as postmaster in my place.

Yours respectfully,

E. FORSEE.

ENDORSEMENT. [*Exhibit "A."*]

POSTOFFICE DEPARTMENT, OFFICE SPECIAL AGENT, }  
ATCHISON, KAS., Nov. 23, 1872. }

I respectfully recommend the appointment of Olof Forsee as postmaster at Falun, Saline county, Kansas.

(Signed)

JOHN M. CROWELL,  
Special Agent.

I recommend this appointment be made, as the postmaster is said to be elected to the Legislature.

(Signed)

S. C. POMEROY.

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(No. 6.)

POSTOFFICE DEPARTMENT, APPOINTMENT OFFICE, }  
November 29, 1872. }

SIR: The Postmaster General has appointed you postmaster at Falun, county of Saline, State of Kansas, in which capacity you will be authorized to act upon complying with the following requirements:

1st. To execute the enclosed bond, and cause it to be executed by two sufficient sureties, in the presence of suitable witnesses, and the sufficiency of the sureties and their oath or affirmation to be certified by a qualified magistrate.

2d. To take and subscribe the oath or affirmation of office enclosed, before a magistrate who will certify the same; also, to appoint an assistant who must be sworn, and deposit them in the mail under an envelope addressed to me.

After the receipt at this Department of your bond and qualification, duly executed and certified, and the approval of the same by the Postmaster General, a commission will, in due course of business, be sent to you. Until this commission shall have been received, you will not be justified in incurring any expense or taking any step preparatory to your installation into office beyond the execution of the bond and qualification aforesaid.

You will then be entitled to enter upon the duties of the office and to take charge of the public property belonging to the postoffice aforesaid, such as desks, cases, boxes, tables of the postoffice, laws and instructions, mail, keys, blanks, letters and papers on hand, and stationery.

If you accept the appointment the bond and oath must be executed and returned without delay. If you decline, notice thereof should be immediately given to this office.

It will be your duty to continue in charge of the office, either personally or by assistant, until you are relieved from it by the consent of the Department, which will be signified by the discontinuance of your office or the appointment of your successor.

Respectfully your obedient servant,

J. W. MARSHALL,  
First Assistant Postmaster General.

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COPY. (No. 14.)

POSTOFFICE DEPARTMENT, APPOINTMENT OFFICE, }  
November 18, 1872. }

SIR: Eric Forsee, the postmaster at Falun, County of Saline, State of Kansas, having been elected a member of the Legislature, resigns.

Please name some suitable person for appointment. Salary \$64.

Before submitting this case to the Postmaster General, I have to request the favor of any information you may possess or be able to obtain respecting it.

I have the honor to be, very respectfully, &c.,

JAMES H. MARR,

Act. First Assistant Postmaster General.

HON. D. P. LOWE, M. C.,

Fort Scott Kansas.

[Notary Public Seal.]

DISTRICT OF COLUMBIA, } ss.  
COUNTY OF WASHINGTON.

I, A. G. Heylumn, a notary public in aforesaid District, do hereby certify that William Van Vleck was by me sworn to testify the truth, the whole truth and nothing but the truth, and that the depositions by him subscribed, as above set forth, were reduced to writing by myself, in presence of the witness, and by him subscribed in my presence, and were taken at the time and place in the annexed notice specified. I am not counsel, attorney, or relative of either party to the contest, and have no interest therein.

In testimony whereof I have hereunto set my hand and affixed my notarial seal this the sixteenth day of December, A. D. 1872, at Washington, D. C.

[Seal.]

A. G. HEYLUMN.

*Notary Public.*

DISTRICT OF COLUMBIA, } ss.  
COUNTY OF WASHINGTON.

I, R. J. Meigs, Clerk of the Supreme Court of the county and district aforesaid, do hereby certify that A. G. Heylumn is a notary public in and for said district duly qualified to act as such; that his term of office commenced on the 18th day of July in the year 1871, and will expire on the 18th day of July in the year 1874, and that his signature above written is genuine.

Given under my hand and the seal of said court, at Washington City, on the 17th day of December in the year of our Lord 1872.

R. J. MEIGS, *Clerk,*

[SEAL.]

By L. C. WILLIAMS, *Ass't Clerk.*

I, W. H. Smallwood, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a true and correct copy of the original instrument of writing filed in my office December 30, A. D., 1872.

In testimony whereof I have hereunto subscribed my

name and affixed the great seal of the State. Done at Topeka, Kansas, this 30th day of December, A. D. 1872.

[SEAL.]

W. H. SMALLWOOD,  
*Secretary of State.*

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Mr. Harvey offered the following resolution :

*Resolved*, That Henry D. Baker be entitled to a seat in this House.

Mr. Veale moved to amend by adopting the report of the Committee on Election in the case of Baker vs. Forsee.

Mr. McDermott offered the following as additional evidence in the case of Baker vs. Forsee:

SALINA, KANSAS, Dec. 14, 1872.

In the matter of Eric Forsee, *Contestant*, vs. Henry D. Baker, *Contestor*, of his right to a seat in the House of Representatives from Saline county, the 84th representative district in the State of Kansas under and by virtue of the election of November 5, 1872. To said Eric Forsee, notice is hereby given that at the office of and before Ambrosia M. Beebe, Judge of Probate in and for the said county of Saline, upon the 28th day of December, A. D. 1872, at 10 o'clock, A. M., I shall commence, and from day to day thereafter until the same is completed, shall continue to take the depositions of A. M. Campbell and others, to be used in evidence upon the hearing of the above entitled contest before the House of Representatives of the State of Kansas at the regular session of the State Legislature in the year A. D. 1873.

HENDRICK D. BAKER.

Adjourned until Monday at 10 A. M., January 6, 1873.

Adjourned by consent until January 7, 1873.

Deposition taken in case of Hendrick D. Baker, contestor of his right to a seat in the House of Representatives, vs. Eric Forsee, taken in pursuance to the annexed notice before me.

A. M. BEEBE,  
*Probate Judge.*

(No. 1.)

## TESTIMONY OF A. M. CAMPBELL.

Mr. A. M. Campbell being duly sworn, deposes and says that he is acquainted with Major Eric Forsee, of Falun, in Saline county, and State of Kansas. I do not know how long the postoffice at Falun has been established; the only postmaster I have ever known there was Major Eric Forsee; there may have been a half dozen postmasters there for all I know; the postoffice department, when it makes any changes in postmaster, does not notify any other postmaster, and therefore I do not know who is postmaster at Falun at this time; I reside in Salina, Kansas, and am postmaster at Salina; there is mail communication between Salina and Falun once a week; this (Salina,) is a distributing office for the route by which Falun is supplied with the mail; there are no postoffices between Salina and Falun; I have been postmaster at Salina between eight and ten years. The postoffice at Falun has been established since I have been postmaster at Salina. Major Eric Forsee was the first postmaster at Falun, and Major Forsee as postmaster at Falun has frequently consulted with me on official business from one to two weeks before the election, which was on the fifth of November. That was the last time he consulted with me about official business.

Q. What was the official business he consulted you about?

[Objected to by the counsel for Eric Forsee as being immaterial.]

A. His general accounts, by which I mean the sum total of all his accounts for three months with the department. I am not aware of any change in the postmaster at Falun, nor in regard to anything about the postoffice there. A registered letter went out of my office on December fifth for Falun, the said registered letter was receipted for and returned the Wednesday following, signed and forwarded by Olof or Elias Forsee, assistant postmaster at Falun.



*Question by Attorney for Forsee:*

Q. How do you know that registred letter was fowarded to Falun?

A. Because I put it in the box myself; I have two assistants in my office.

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TESTIMONY OF JOHN RYAN.

Mr. John Ryan being duly sworn, deposes and says: That he is acquainted with Major Eric Forsee. Mr. Mohler, Major Eric Forsee and myself, were in a saloon and they got to talking about the election. Mr. Mohler asked him if he was not postmaster on the day of the election; he did not exactly say that he was; he said that it did not make any difference whether he was or not; the people of Salina have nothing to say about it.

*Question by Attorney for Mr. Baker.*

Q. Did he not state: I do not deny that on the day of the election I was postmaster, but that makes no difference, as my resignation is accepted?

[Objected to by the counsel for Eric Forsee as leading and suggesting to the witness an answer contradicting the one already given to the same question.]

A. He did state that he had it all fixed now, his resignation was accepted; I mean that the Major admitted to Mr. Mohler that he was postmaster on the fifth day of November, 1872; that he had his resignation accepted since that date, the fifth of November, 1872, and that it was all right. This conversation took place about one week after the election. It might have been one week, it might have been more: I do not remember; between one and two o'clock in the day; I am unable to say the day of the week; there was nobody there that I remember of but myself, Mr. Mohler and Mr. Forsee, and the barkeeper; we all stood there taking a drink. I don't think I had taken more than two, and they were very light ones at that.

*Cross Examination.*

Q. Have you stated what Major Forsee said, or your inference?

A. I have stated a portion of what he said and some of what I inferred. He said Mr. Mohler says to Major Forsee, don't you know that you were postmaster on the day of election that was held the fifth of November? Yes, but I have got my resignation accepted since.

Q. What did you mean when you stated that Major Forsee, in the conversation that took place between him and Capt. Mohler, did not say that he was postmaster at Falun on the day of the election?

A. They were talking on the general result of the election, and Mr. Mohler told him that he was not eligible to the office of Representative on account of his being a United States officer—a postmaster. And he said I will see about that; I will see whether any of those parties in Salina have got anything to do with it; he said he was with General Grant and a Major in the army, and was under his command. He said he would go down to Washington and see the General, and he would show them that Saline county would not make laws for the United States.

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JANUARY 10, 1872, 10 o'clock A. M.

Met pursuant to adjournment.

The following witness was introduced :

M. W. Keith, Salina, State of Kansas, being duly sworn, deposes and says, that he is a hotel keeper, keeps the Railroad Eating House, at Salina; was keeping said hotel in November, 1872, and was then in charge of it. I am acquainted with John M. Crowell; he is a United States Mail Agent for Kansas; has a supervisory control over the postoffices in Kansas; he came to my house on the evening of the twentieth of November, A. D. 1872, stayed there over night and took

breakfast, and then went into the country and did not get back until evening of the twenty-first for supper; my judgment is that he went east on the evening train—he went out to Falun.

*Cross Question.*

Q. How do you know he went there?

A. He told me he was going to Falun, and asked me where the best stable was to get a team. I have no other means of knowing where he was going, except what he told me.

M. W. KEITH,

It is admitted that the Eric Forsee, the contestee, is the same Eric Forsee that has been postmaster at Falun, Saline county Kansas.

Further examination of witnesses in the case continued by consent until the 8th, at 10 o'clock A. M.

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JANUARY 8, 1873, 10 o'clock A. M.

Met pursuant to adjournment and adjourned until 1 o'clock P. M., on the tenth.

Olof Forsee being duly sworn, deposes and says, that he is thirty years of age, resides at Falun. I am postmaster at Falun, have been commissioned by Postmaster General, at Washington. I have that commission with me.

Here the commission was introduced in evidence, a true and correct copy of which is hereto attached, marked "A." Major Eric Forsee was the last postmaster next to me. I am Eric Forsee's immediate successor as postmaster at Falun. I was appointed postmaster on the twenty-ninth day of November, A. D. 1872. I executed my bond as postmaster, and took the oath of office as required by law on the seventh day of December, 1872. I received the commission some time after the twentieth day of December, 1872. I am acquainted with Eric Forsee, he is my father, he is the same Eric Forsee

referred to as being postmaster at Falun, he is the same Eric Forsee that is contestee in this case, and the same Eric Forsee that was elected Representative from Saline county, Kansas. I took charge of the postoffice at Falun, the day I received the commission above referred to. The books, papers and furniture belonging to the office were turned over to me on the day I took charge, as above stated. I receipted to Eric Forsee for the books, papers, etc., of the postoffice at Falun. I do not know who was postmaster at Falun when I was appointed. Elias Forsee was assistant postmaster at Falun on the twenty-ninth day of November, 1872, at the time I was appointed. He, Elias Forsee, was assistant postmaster to Eric Forsee. Elias Forsee was assistant postmaster to Eric Forsee up to the day I took charge of the office, which was after the twentieth day of December, 1872. Elias Forsee was assistant postmaster to Eric Forsee during the whole of the time Eric Forsee was postmaster.

*Cross Examination.*

Elias Forsee was acting postmaster at Falun when I took charge of the office. Elias Forsee had been the acting postmaster at Falun since the first of November.

Q. State when Eric Forsee ceased to be postmaster at Falun.

A. I understand he ceased to be postmaster on the first of November, when he resigned. Elias Forsee was the acting postmaster from the first of November until I took charge of the office.

*Direct Examination.*

I know that Eric Forsee resigned as postmaster on the first of November, because I came into the office one day and Elias Forsee was writing something; I asked him what he was writing. He said he was writing the resignation for father. It was the first day of November. I went into the office. I know it was the first day of November, when I don't know the day of the week; I looked in the almanac; I did not look in the almanac on the first day of November last;

I did not read what Elias Forsee was writing; all I know about the contents of the letter and the resignation, is what they told me. Elias Forsee took an oath as assistant postmaster at Falun, but executed no bond, as he was not required to do so.

Q. Who was responsible for the acts of Elias Forsee as assistant postmaster up to the twentieth day of December, 1872.

[ Objected to, as the answer will be but the witness' opinion and not tending to show when contestee resigned his office.]

A. My former postmaster, Eric Forsee, and his sureties.

I know one A. M. Beebe; he did not have any conversation with me about my testimony, etc. He did not advise me anything about what my testimony should be. I came into town, and went into Mr. Lindy's store, and saw Mr. Beebe, and he told me to go and see Mr. Hodgkinson.

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POSTOFFICE DEPARTMENT—*Exhibit "A."*

Eagle.—*E Pluribus Unum.*

JOHN A. J. CRESWELL—*Postmaster General of the United States of America:*

To all who shall see these presents greeting:

WHEREAS, On the 29th day of November, 1872, Olof Forsee was appointed postmaster at Falun, in the county of Saline, State of Kansas; and

WHEREAS, He did on the 7th day of December, 1872, execute a bond and has taken the oath of office as required by law.

Now, know ye, That confiding in the integrity, ability and punctuality of the said Olof Forsee, I do commission him as postmaster, authorized to execute the duties of that office at Falun, aforesaid, according to the laws of the United States, and the regulation of the Postoffice Department to

hold the said office of postmaster with all the power, privileges and emoluments to the same, belonging, during the pleasure of the Postmaster-General of the United States.

In testimony whereof, I have hereunto set my hand and caused the seal of the Postoffice Department to be affixed at Washington City the twelfth day of December in the year of our Lord one thousand eight hundred and seventy-two, and of the Independence of the United States, the ninety-seventh.

JOHN A. J. CRESWELL.

[SEAL.]

OLOF FORSEE.

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STATE OF KANSAS, }  
SALINE COUNTY, } ss.

I, A. M. Beebe, judge of the probate court in and for Saline county, State of Kansas, do hereby certify that A. M. Campbell, John Ryan, M. W. Keith and Olof Forsee, witnesses to the foregoing deposition, were first sworn to testify the truth, the whole truth, and nothing but the truth; that their depositions were reduced to writing by a proper person, A. M. Beebe; that said depositions were taken at the time and place specified in the notice, and that they were written and subscribed in my presence.

[SEAL.]

A. M. BEEBE,

*Probate Judge.*

JANUARY 10, 1873.

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In the matter of Eric Forsee, contestee, vs. Hendrick D. Baker, contestor of his right to a seat in the House of Representatives from Saline county, the eighty-fourth representative district in the State of Kansas, under and by virtue of the election of November 5, A. D. 1872:

To the said Eric Forsee, notice is hereby given that at the office of Messrs. Chipman, Hosmer & Co., attorneys-at-law at the city of Washington, in the district of Columbia, upon

the 16th day of December A. D. 1872, at 1 o'clock P. M., I shall commence, and from day to day thereafter, until the same is completed, shall continue to take the deposition of James H. Marr and others, to be used in evidence upon the hearing of the above entitled contest before the House of Representatives of the State of Kansas at the regular session of the State Legislature in the year A. D. 1873.

Witness my hand this seventh day of December A. D. 1872.  
HENDRICK D. BAKER.

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STATE OF KANSAS, } ss.  
SALINE COUNTY. }

Hendrick D. Baker, of said county, being duly sworn according to law, upon his oath states that at Salina, in said county, on the 7th day of December A. D. 1872, he served a notice, of which the within is a true copy, upon Eric Forsee, by delivering the same to him personally and leaving it with him.  
HENDRICK D. BAKER,

Sworn and subscribed before me this seventh day of December A. D. 1872.

[SEAL.]

JNO. W. BERKS,  
*Notary Public.*

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Mr. Scofield moved to suspend the further reading of the testimony.

Which motion prevailed.

The question being on the amendment made by Mr. Veale to the resolution offered by Mr. Harvey,

The yeas and nays were demanded.

The roll of the House was then called with the following result:

Yeas, 60; nays, 34.

The following named gentlemen of the House voted yea :

Messrs. Baker, Banta, Bateman, Belden, Billings, Bishop, Bowers, Bowron, Brinkman, Childs, Cooper, De Forrest, Eldridge, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Kahler, Kalloch, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, Miller, Morgan, Morrison, Motz, Nugent, Reasoner, Robinson, Rohrabacher, Scofield, Searcy, Sellers, Sexton, Shaw, Simpson, Spaulding, Stratton, Titus, Veale, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

The following named gentlemen of the House voted nay :

Messrs. Allen, Seaty, Bell, Blakely, Bond, Brenner, Brown, Buchan, Cochrane, Crew, Cross, Cummings, Curtain, Davis, Funston, Green, Guffy, Harper, Harvey, W. J. Hunter, Jeffrey, Lanter, McDonald, McLean, O'Driscoll, Peck, Plummer, Ross, Shoemaker, Smith, Snyder, Tough, Turner, Vickers and Ward.

Mr. Simpson moved to reconsider the vote by which the resolution was adopted.

On motion of Mr. Spaulding,

The motion to reconsider was laid on the table.

On motion,

The House adjourned.



## AFTERNOON SESSION.

2 o'clock P. M.

House met pursuant to adjournment.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

On motion,

House Bill No. 59, An act to appropriate money to erect center building and west wing to the State Insane Asylum buildings,

Was referred to the Committee on Ways and Means.

Mr. Baker offered the following resolution :

*Resolved*, That the House refuse to recede from its amendment to Senate Concurrent Resolution No. 10, and ask for a Committee of Conference.

Which resolution was adopted.

Messrs. Baker, Nugent and McDonald were appointed as such committee.

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REPORTS OF STANDING COMMITTEES.

Mr. Willets, Chairman of the Committee on Education, submitted the following reports :

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 20, An act to govern school districts and school boards in regard to text books,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

J. T. WILLETS,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 18, An act to regulate the hours of school teachers,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

J. F. WILLETS,  
*Chairman.*

**Mr. Banta, Chairman of the Committee on Judiciary, submitted the following report:**

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 56, An act to enable Frank Neal, a minor, to exercise the rights of majority,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, the subject matter being contained in Substitute for House Bill No. 3.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 3, An act to authorize the persons therein named to exercise the rights of majority,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that the substitute entitled an act to enable certain minors to exercise the rights of majority, be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 47, An act authorizing Henry A. Hunting, a minor, to exercise the rights of majority,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, subject-matter being contained in substitute for House Bill No. 3.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 33, An act to empower Orrin F. Miller to hold and transfer property, and transact business as if he had attained majority,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, the subject-matter being contained in substitute for House Bill No. 3.

A. J. BANTA,  
*Chairman,*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 37, An act supplemental to an act supplemental to an act respecting executors and administrators and the settlement of the estates of deceased persons,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 53, An act to amend an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 55, An act to create the office of public administrator in the various counties of the State,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 41, An act to amend sections 1 and 2 of chapter 105, in relation to stock, approved March 2, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be referred to the Committee on Agriculture.

A. J. BANTA,  
*Chairman.*

The bill was so referred.

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 26, An act legalizing certain acts of the county commissioners of Jewell county,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 31, An act to declare Charles A. B. Jackson, a minor, of lawful age,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, the subject-matter being contained in substitute for House Bill No. 3.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 57, An act authorizing the city of Independence to issue bonds of the city to liquidate the indebtedness of the city,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

**A. J. BANTA,**  
*Chairman.*

**Mr. Fields** offered the following as a minority report of the Committee on Elections :

**MR. SPEAKER:** In relation to the question of admitting persons to seats in this House from organized counties in excess of one hundred members, I am compelled to dissent from the report of the majority of the Committee, and in doing so, I desire to state my reasons therefore. Article 2, section 2, of the constitution of the State of Kansas, reads as follows :

"After the first election, the number of Senators and members of the House of Representatives shall be regulated by law, but shall never exceed one hundred representatives and thirty-three Senators."

Article 10, section 1, of the constitution, reads as follows :

"In the future apportionment of the State, each organized county shall have at least one Representative, and each county shall be divided into as many districts as it has representatives."

It appears clear to my mind that the section on apportionment quoted, applies to the time the apportionment is made, and I think the phraseology of said section confirms the opinion.

Article 2, section 2, after the first election, requires that the number of Senators and members shall be regulated by law. This has been done at the two apportionments that

have been made in accordance with the provisions of the the convention.

But said section further provides that the number of Representatives shall never exceed one hundred. I am therefore of the opinion that persons elected from organized counties in excess of one hundred members, are not entitled to a seat on this floor.

H. C. FIELDS,

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REPORT OF STANDING COMMITTEE.

Mr. Smith, Chairman of the Committee on Agriculture, submitted the following report:

MR. SPEAKER: The Committee on Agriculture, to whom was referred

House Bill No. 29, An act to provide for an agricultural college building, and the completion of the college barn,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be referred to the Committee on Ways and Means.

REUBEN SMITH,

Chairman.

The bill was so referred.

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The following communication was received from the Attorney General:

STATE OF KANSAS, OFFICE OF ATTORNEY GENERAL, }  
TOPEKA, January 23, 1873. }

*To the House of Representatives of the State of Kansas:*

I have just received the following resolution adopted by you on the 16th instant:

*Resolved*, That the Attorney General of this State be and is hereby requested to furnish to this House at his earli-

est convenience his opinion in writing, as to the right of this House under the constitution, to legally admit more than one hundred members.

And in response thereto submit the following as my view of the matter:

Had your resolution been broader than it is and embraced the question as to how two provisions of the constitution apparently conflicting with each other could be made to harmonize, the matter would have been more difficult. But as it is, the question is easily answered.

You have no authority under the constitution, to admit more than one hundred members to your body, section 2 of article 2 of the constitution, settles the matter. It does not apply to the apportionment of the State and is not found under that head. But it absolutely prohibits the admission of more than one hundred members. It leaves it to you to fix the number of members; to increase or diminish as your wisdom might suggest, subject to the limitation contained in the last clause of the section. The language of the section contains, in my judgment, its own explanation.

After the first election the number of Senators and members of the House of Representatives shall be regulated by law, but shall never exceed one hundred Representatives and thirty-three Senators.

If it had been the intention of the framers of the constitution simply to limit you in the apportionment of the State to the creation of not more than one hundred districts, they would have said so, and their determination in the matter would have been found under its appropriate head in the Constitution, the article on apportionment.

Respectfully submitted,

A. L. WILLIAMS,

*Attorney General.*

Mr. Scofield offered the following resolution:

*Resolved*, That the communication from the Attorney General, just read, be returned to him with the request that



he will, in connection with the subject-matter thereof, give his name in relation to that provision of the Constitution which guarantees representation upon the floor of this House to every organized county.

Which was adopted.

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MESSAGE FROM THE SENATE.

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate refuses to concur in House amendment to

Senate Concurrent Resolution No. 10, Relating to news papers,

Which increases the number of papers to fifty, and concur in the House amendment providing for certified lists.

GEORGE C. CROWTHER,  
*Secretary.*

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 11, To appoint a Joint Committee to inquire into the affairs of the State officers.

Senate Concurrent Resolution No. 12, Memorializing Congress to donate to the State of Kansas the Fort Harker Reservation for the founding of an industrial normal school.

GEO. C. CROWTHER,  
*Secretary.*

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Senate Concurrent Resolution No. 11, To appoint a committee to inquire into the affairs of State officers.

Was read, and on motion adopted.

## REPORT OF STANDING COMMITTEE.

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following reports:

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 58, An act relating to strays and amendatory to section 13 of Chapter 105 of the General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

R. SMITH,  
*Chairman.*

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 29, An act to provide for an agricultural building and the completion of the college barn,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be referred to the Committee on Ways and Means.

R. SMITH,  
*Chairman.*

Senate Concurrent Resolution No. 12, Memorializing Congress to donate the Fort Harker Reservation for the founding of an industrial normal school was read and adopted.

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Mr. Hutchings offered the following resolution:

*Resolved,* That the committee heretofore appointed by resolution of this House to investigate charges against H. G. Webb, Judge of the eleventh judicial district of the State of Kansas, be and is hereby authorized and required to investigate all charges of bribery, corruption and misconduct in office against said H. G. Webb, and to report to this House

as soon as practicable whether the said H. G. Webb has so acted in his judicial capacity as to require the interposition of the constitutional power of impeachment of this House, and for the purpose of this investigation the said committee is hereby authorized and empowered to subpoena and send for all necessary persons and papers, and each member of said committee is hereby authorized and empowered to administer oaths and affirmations, and said committee is hereby authorized to employ a clerk.

Which resolution was adopted.

Mr. Reasoner offered the following resolution :

*Resolved*, That in the judgment of this House, no county should be subject to tax by this body without representation in the same.

Mr. Veale moved to amend by saying those counties are entitled to their seats by the sense of this House.

Mr. Reasoner withdrew his resolution by consent.

Mr. Veale then moved to make this matter a Special Order for tomorrow at 11 o'clock, A. M.

Which motion prevailed.

Mr. Scofield offered the following resolution :

*Resolved*, That the Secretary of State be requested to furnish the House with copies of all papers on file in his office relating to the organization of Pawnee, Ford and Rooke counties.

Which resolution was adopted.

Mr. McDermott offered the following resolution :

*Resolved*, That the use of the hall of the House of Representatives be granted to the soldiers for the purpose of holding a meeting on Friday evening, January 24, 1873, and that the Sergeant-at-Arms be required to have the hall lighted at that time.

Which resolution was adopted.

Mr. Hutchinson offered the following resolution:

*Resolved*, That all matter relating to Texas cattle laws, shall be referred to a Special Committee of seven to be appointed by the Speaker.

Which was adopted.

Mr. Scofield offered the following resolution:

*Resolved*, That the Docket Clerk of the House be instructed to cause all bills reported to the House by its committee to be printed and laid upon the desks of members.

Which was adopted.

Mr. Veale moved that the Speaker administer the oath of office to Miss Jennie Comstock, Page of the House.

Which motion prevailed.

By unanimous consent,

Mr. Bond, Chairman of the Special Committee, submitted the following report:

MR. SPEAKER: The Special Committee to whom was referred

House Bill No. 10, An act creating a metropolitan police force for cities of the first class,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

W. H. BOND,  
*Chairman.*

---

Mr. Bond moved to suspend the rules and consider House Bill No. 10 engrossed, and be put upon its third reading.

Which motion prevailed.

Mr. Bond moved that the Speaker appoint all the assistant clerks that are necessary.

Which motion prevailed.

The oath of office was administered to Mr. Veale, Speaker *pro tem*.

House Concurrent Resolution No. 6, Asking Congress to amend section 3 of article 1, of the constitution of the United States so as to make senators elective by the people,

Was adopted.

House Bill No. 62,

Was withdrawn from the Committee on Railroads and referred to the Committee on Corporations.

House Concurrent Resolution No. 7, Referring to newspapers,

Was taken up.

Mr. McDermott moved, as an amendment, to insert Assistant Chief Clerk.

Which motion was lost.

House Concurrent Resolution No. 7,

*Resolved*, That the Docket, Journal, Engrossing and Enrolling Clerks, Assistant Sergeant-at-Arms, and each Door-keeper be allowed ten copies of newspapers.

The question recurring on the original resolution,

The resolution was lost.

House Concurrent Resolution No. 8

Was taken up for consideration.

On motion of Mr. Hutchinson;

It was referred to the Committee on Immigration.

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INTRODUCTION OF BILLS.

By Mr. Gillespie,

House Bill No. 84, An act making appropriations for the Legislative department.

Read first time.

By Mr. Plummer,

House Bill No. 85, An act to authorize certain counties and incorporated cities to aid manufactures.

Read first time.

By Mr. Morgan,

House Bill No. 86, An act to amend an act entitled an act to establish an insurance department in the State of Kansas, and to regulate the companies doing business therein, approved March 1, 1871.

Read first time.

By Mr. Hoesman,

House Bill No. 87, An act to establish a State road through the counties of Rice, Mitchell and Jewell.

Read first time.

By Mr. Hoesman,

House Bill No. 88, An act authorizing the county treasurer of Ellsworth county to transfer certain county funds.

Read first time.

By Mr. Childs,

House Bill No. 89, An act in relation to certain officers therein named.

Read first time.

By Mr. Funston,

House Bill No. 90, An act legalizing conveyances made by the trustees of the Geneva Presbyterian Academy.

Read first time.

By Mr. Mapes,

House Bill No. 91, An act to regulate freight tariff on railroads.

Read first time.

By Mr. Mapes,

House Bill No. 92, An act to organize township organizations in the State of Kansas.

Read first time.

By Mr. McDermott,

House Bill No. 93, An act to amend section 76, article 13, chapter 107, General Statutes of 1868, on collection of taxes.

Read first time.

By Mr. Vickers,

House Bill No. 94, An act in relation to the jurisdiction of police judges in cities of the third class.

Read first time.

By Mr. Hutchings,

House Bill No. 95, An act to amend section 253, of chapter 80, of the General Statutes of 1868.

Read the first time.

By Mr. Hutchings,

House Bill No. 96, An act to amend section one of an act entitled an act to amend section 30 of article 2, chapter 25, of the General Statutes relating to counties and county officers, approved March 1, 1872.

Read first time.

By Mr. O'Driscoll,

House Bill No. 97, An act relating to county superintendents of common schools, and amendatory of section 19 of the school laws, chapter 92 of the General Statutes, as amended.

Read first time.

By Mr. Beaty,

House Bill No. 98, An act amending section 34, chapter 92, General Statutes of the State of Kansas.

Read first time.

By Mr. Wakefield,

House Bill No. 99, An act to amend section 48 of the school laws of the State of Kansas.

Read first time.

Mr. Bond, Chairman of the Special Committee, by consent, submitted the following report:

MR. SPEAKER: The Special Committee to whom was referred

House Bill No. 15, An act to allow compensation to councilmen of cities of the first class,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

W. H. BOND,  
*Chairman.*

Mr. Hutchings moved to suspend the rules so as to allow all bills read a first time to-day to be placed on second reading now.

Which motion prevailed.

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BILLS ON SECOND READING.

House Bill No. 84, An act making appropriation for the Legislative Department.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 85, An act to authorize certain counties and incorporated cities to aid manufactures.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.



House Bill No. 86, An act to amend an act entitled an act to establish an insurance department in the State of Kansas, and to regulate the companies doing business therein; approved March 1, 1871.

Read the second time, and

Referred to the Committee on Insurance.

House Bill No. 87, An act to establish a State road through the counties of Rice, Ellsworth, Lincoln, Mitchell and Jewell.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 88, An act authorizing the county treasurer of Ellsworth county to transfer certain funds.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 89, An act in relation to certain officers therein named.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 90, An act legalizing conveyances made by the trustee of Geneva Presbyterial Academy.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 91, An act to regulate freight tariffs on railroads.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 92, An act to organize township organizations.

Read the second time, and

Referred to the Committee on County Lines and County Seats.

House Bill No. 93, An act to amend section 76, article 13, chapter 107, General Statutes, 1868, on collection of taxes.

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 94, An act in relation to the jurisdiction of police judges in cities of the third class.

Read second time, and

Referred to Special Committee on cities of third class.

House Bill No. 95, An act to amend section 253 of chapter 80 of the General Statutes of 1868.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 96, An act to amend section 1 of an act entitled an act to amend section 36 of article 2, chapter 25 of the General Statutes relating to counties and county officers, approved March 1, 1872.

Read the second time, and

On motion of Mr. Hutchinson, was

Referred to the Committee on Judiciary.

House Bill No. 97, An act relating to county superintendents of common schools and amendatory of section 19 of the school laws, chapter 92 of the General Statutes as amended.

Read the second time, and

Referred to the Committee on Education.

House Bill No. 98, An act amending section 34, chapter 92, General Statutes of the State of Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 99, An act to amend section 48 of the school laws of the State of Kansas.

Read the second time, and

Referred to the Committee on Education.

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BILLS ON THIRD READING.

House Bill No. 10, An act creating a metropolitan police force for cities of the first class,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 98; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. Henshaw and Langdon.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

Mr. D. M. Adams introduced a memorial of Thompson Brothers.

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Mr. Jeffrey, Chairman of Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bill No. 6, An act to remit the penalty on unpaid taxes in certain cases,

Have examined the same and find it correctly engrossed.

JEFFREY,  
*Chairman.*

---

House Bill No. 6, An act to remit the penalty on unpaid taxes in certain cases,

Was read the third time.

And the question being: Shall the bill pass :

The yeas and nays were had with the following result :

Yeas, 61 ; nays, 32.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Bacon, Banta, Bateman, Belden, Bell, Billings, Bowers, Bowron, Brenner, Brown, Buchan, Childs, DeForrest, Dillard, Eldridge, Fields, Frazier, Funston, Gillespie, Gregg, Harper, Harvey, Henshaw, Hodges,

Hutchings, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Mapes, McDonald, McLean, Miller, Morrison, Nugent, O'Driscoll, Peck, Reasoner, Rohrabacker, Scofield, Searcy, Sellers, Sexton, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. D. M. Adams, Baker, Beaty, Bishop, Blakely, Bond, Brinkman, Cochrane, Cooper, Crew, Cress, Cummings, Davis, Ensign, Green, Guffy, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Kahlar, Kalloch, Langdon, Lanter, Lowe, McDermott, Morgan, Motz, Plummer, Robinson, Ross, Shaw, Shoemaker, Simpson, Smith and Veale.

Gentlemen absent or not voting were :

Messrs. Curtain and Forsee.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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On motion,

The House adjourned.

A. R. BANKS,

Chief Clerk.

## MORNING SESSION.

FRIDAY, JANUARY 24, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Rohrbacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. E. O. Taylor.

The Journal of yesterday was read and approved.

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By unanimous consent,

Mr. Miller withdrew

House Bill No. 76, An act to amend an act on the location of roads and highways.

By consent,

Mr. Gillespie withdrew

House Bill No. 66, An act amending an act regulating the jurisdiction and procedure before justices of the peace in civil cases.

On motion of Mr. Bond,

House Bill No. 85, An act authorizing certain counties and incorporated cities to aid manufactures,

Was withdrawn from the Committee on Agriculture and Manufactures, and referred to the Leavenworth Delegation.

On motion,

Mr. Brenner, Chairman of the Committee on Elections, was granted further time to report in the case of Miller vs. Rohrabacher.

Mr. Buchan moved that the Committee report at 3 o'clock P. M.

Mr. McDermott moved to amend by saying to-morrow at 10 o'clock A. M.

Which motion, as amended, prevailed.

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports:

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred.

House Bill No. 19, An act to relocate a part of Leavenworth and Fort Riley road, in Leavenworth county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
Chairman.

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 44, An act relating to a State road in the counties of Ellis, Rooks and Phillips,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed after striking out 120 feet and inserting 60 feet.

J. BRENNER,

*Chairman.*

Mr. Eldridge, Chairman of the Committee on Corporations, submitted the following reports:

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 4, An act to amend an act to authorize municipal corporate authorities to issue bonds for internal improvement, approved March 2, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

T. B. ELDRIDGE,

*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 12, An act extending the boundary lines of the city of Columbus, in the county of Cherokee,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass.

T. B. ELDRIDGE,

*Chairman.*

Mr. Miller, Chairman of the Committee on Assessment and Taxation, submitted the following report:

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 30, An act relating to the assessment and



collection of taxes, reducing interest on purchase money of lands and lots sold for taxes, from fifty to twenty-five per cent,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

J. M. MILLER,  
*Chairman.*

Mr. Spaulding, Chairman of the Committee on Cities of the Second Class, submitted the following report:

MR. SPEAKER: The Committee on Cities of the Second Class, to whom was referred

House Bill No. 48, An act legalizing certain acts of the city council of the city of Wichita,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass.

A. W. SPAULDING,  
*Chairman.*

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following report:

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 38, An act to amend section 1 of chapter 45 of the laws of 1868, concerning the protection of game,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

REUBEN SMITH,  
*Chairman.*

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MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorabl

body that the Senate accedes to the request of the House for a Committee of Conference on

Senate Concurrent Resolution No. 10, Relating to newspapers.

Committee on the part of the Senate :

Messrs. Butler and Johnson.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 16, Relating to printing the Governor's Message.

Senate Concurrent Resolution No. 7, Memorializing Congress for the relief of settlers on the Neutral Lands,

In which your concurrence is respectfully desired.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has appointed the following committee to investigate the affairs of State officers.

Messrs. Johnson, J. C. Wilson and Butler.

GEO. C. CROWTHER,

*Secretary.*

Mr. Bond moved to amend Senate Concurrent Resolution No. 16, Relating to the printing of the Governor's Message, by saying 4,000 copies in the English, 1,000 in the German, and 1,000 in the Scandinavian language.

The resolution as amended was adopted.

Mr. Brenner moved to lay Senate Concurrent Resolution No. 7, Memorializing congress for the relief of settlers on the neutral lands, over until to-morrow at 3 o'clock, p. m.

Which motion was lost.

The question now recurring on the original Senate Concurrent Resolution No 7.

The resolution was adopted.

Messrs. Hoesman, Funston, Lane and Cross were announced as committee on investigation of State officers.

Committee on Texas cattle were:

Messrs. Hutchinson, Tough, McDonald, Stratton, Sexton, Hoesman and Allen.

Mr. Bond moved to reconsider the vote in regard to the printing of the Governor's Message.

Which motion prevailed.

Mr. Bond then moved to amend Senate Concurrent Resolution No. 16, so as to read 4,500 copies in the English, 1,000 in the German, and 500 copies in the Swedish language.

The resolution as amended was adopted.

Mr. Veale presented a petition of 800 citizens asking that a deed of trust law be enacted.

Which petition was referred to the Committee on Judiciary.

Mr. Baker was excused from serving on committee to-day on account of sickness.

Mr. Scofield was appointed in his stead.

By consent,

Mr. Plummer was granted leave of absence till Monday next at 11 o'clock.

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By Mr. Larkin,

House Bill No. 100, An act to empower the Commissioner of Atchison to levy a tax to purchase a site and build a court house in the city of Atchison, State of Kansas.

Read first time.

By Mr. Shoemaker,

House Bill No. 101, An act for the registry of electors, and to prevent fraudulent voting.

Read first time.

By Mr. Buchan,

House Bill No. 102, An act to cede jurisdiction over the Leavenworth military reservation to the United States.

Read first time

By Mr. Brinkman,

House Bill No. 103, An act declaring section lines highways in the county of Barton, State of Kansas.

Read first time.

By Mr. Bell,

House Bill No. 104, An act to provide for the appointment of a phonographic reporter in judicial districts.

Read first time.

By Mr. David Adams,

House Bill No. 105, An act to amend section 5 of chapter 88 of the Laws of 1870.

Read first time.

By Mr. David Adams,

House Bill No. 106, An act to amend section 62, General Statutes of 1868, relating to procedure before justices of the peace in civil cases.

Read first time.

By Mr. Bacon,

House Bill No. 107, An act to repeal an act entitled an act in relation to road districts, approved March 1, 1872.

Read first time.

By Mr. Hutchinson,

House Bill No. 108, An act amendatory of section 5 of chapter 24 of the General Statutes of 1868.

Read first time.

By Mr. Morgan,

House Bill No. 109, An act amending section 315 of the code of civil procedure.

Read first time.

By Mr. Mapes,

House Bill No. 110, An act to regulate passenger fare on railroads.

Read first time.

By Mr. Hodges,

House Bill No. 111, An act to amend sections 1, 5, 8 and 37, of chapter 60, of the General Statutes of 1868, in reference to lunatics and habitual drunkards.

Read first time.

Mr. Willets moved that the rules be suspended so as to have all the bills introduced this morning, read a second time now.

Which motion prevailed.

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BILLS ON SECOND READING.

House Bill No. 100, An act to empower the Commissioner of Atchison county to levy a tax to purchase a site and build a court house in the city of Atchison, State of Kansas.

Read the second time, and

Referred to the Atchison delegation.

House Bill No. 101, An act for the registry of electors, and to prevent fraudulent voting,

Read the second time, and

Referred to the Committee on Elections.

House Bill No. 102, An act to cede jurisdiction over the Leavenworth Military Reservation to the United States.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 103, An act declaring section lines public highways in the county of Barton.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

House Bill No. 104, An act to provide for the appointment of reporter in the judicial districts.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 105, An act to amend section 5, chapter 88, laws of 1870.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 106, An act to amend section 62 of civil procedure before justices of the peace in civil cases.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 107, An act to repeal an act entitled an act in relation to road districts, approved March 1, 1872.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 108, An act amendatory of section 5 of chapter 24 of the General Statutes of 1868.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

House Bill No. 109, An act amending section 815 of the code of civil procedure.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 110, An act to regulate passenger fare on railroads.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 111, An act to amend sections 1, 5, 8 and 37 of chapter 60 of the General Statutes of 1868, in reference to lunatics and habitual drunkards.

Read the second time, and

Referred to the Committee on Judiciary.

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SPECIAL ORDER.

The hour of 11 o'clock A. M. having arrived,

The Special Order for that hour was taken up :

"As to the right of this House, under the constitution, to legally admit more than one hundred members.

Mr. Buchan moved that it be postponed to one week from to-day at this hour.

Mr. Veale moved to amend by making it the Special Order for 2 o'clock this P. M.

Mr. Scofield moved as an amendment to the amendment that it be postponed till 10 o'clock A. M., on Monday next.

The question being on the amendment to the amendment,

The motion was lost.

The question being on the amendment,

The motion prevailed.

The original motion as amended prevailed.

Mr. Buchan then moved that the House now go into a Committee of the Whole on General Orders, for the consideration of certain bills hereinafter named.

Which motion prevailed.

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COMMITTEE OF THE WHOLE.

Mr. Hutchinson in the chair.

After some time spent therein, the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration certain bills and direct me to make the following report:

House Bill No. 23, An act to amend section 75 of chapter 24 of the General Statutes, defining the boundaries of counties,

And recommend its passage.

House Bill No. 11, An act to amend section 2 and section 4 of chapter 26 of the General Statutes of 1868,

And recommend that it be postponed until February 4, 1873,

House Bill No. 21, An act to vacate cemetery grounds in Blue Rapid City, Marshall county,

And recommend its passage.

House Bill No. 5, An act authorizing the county commissioners of Cowley county, Kansas, to issue bonds to liquidate the indebtedness of said county,

And recommend its passage.

House Bill No. 17, An act to enable the county commissioners of Republic county to issue bonds to pay their indebtedness,

And recommend its passage.



House Bill No. 9, An act for the relief of George Campbell,

And recommend its passage.

House Bill No. 20, An act to govern school districts and school boards in regard to text books,

And recommend its passage.

House Bill No. 18, An act to regulate the hours of school teachers,

And recommend its rejection.

House Bill No. 56, An act to enable Frank Neal, a minor, to exercise the rights of majority,

And recommend its indefinite postponement.

House Bill No. 3, An act to authorize the persons therein named to exercise the rights of majority,

And recommend its indefinite postponement.

Substitute for House Bill No. 3, An act to enable certain minors to exercise the rights of majority,

And recommend its passage with sundry amendments.

C. C. HUTCHINSON,

Chairman.

On motion,

The House adjourned.

## AFTERNOON SESSION.

2 o'clock P. M.

House met pursuant to adjournment.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Bateman, Beaty, Belden, Billings, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochran, Cooper, Cross, Curtain, Davis, DeForrest, Dillard, Easign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoosman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Nugent, Peck, Reasoner, Robinson, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Smith, Snyder, Spaulding, Stratton, Titus, Turner, Veale, Vickers, Ward, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

The following communication from the Attorney-General was received:

STATE OF KANSAS, OFFICE OF ATTORNEY GENERAL, }  
TOPEKA, January 24, 1873. }

*To the House of Representatives:*

I find on my desk this morning the following resolution adopted by you on the twenty-third.

**"Resolved, That the communication from the Attorney-General just read be returned to him with the request that he will, in connection with the subject matter thereof, give his views in relation to that provision of the constitution which guarantees representation upon the floor of this House to every organized county."**

I had supposed that, practically at least, my last communication had settled what my views were on the questions you submit. Had I believed that every organized county was entitled under the constitution to at least one member in the House, I would so have stated. Such was not, and is not, my opinion. In construing a constitution, effect must be given, if possible, to the whole instrument, and if different provisions seem to be in conflict with each other, they must be harmonized if it can be done; and courts, in passing upon a constitution, always give such a construction as will render every clause operative if possible. One clause of a constitution will never be allowed to render another nugatory and void, if by any reasonable construction the two can be made to harmonize. Applying these familiar rules of construction to this case, and how does the matter stand? If, as your resolution seems to imply, there is a provision of our constitution "guaranteeing representation upon the floor of the House to every organized county," then, under existing facts, there is a conflict which cannot be harmonized. Section 2, of article 2, unqualifiedly limits the number of members of the House to one hundred. Giving seats to all the members claiming under the clause which, according to your resolution, "guarantees representation to every organized county," plainly violates the provision first referred to; to exclude such members violates the clause you refer to. The fact is, there is no such clause in the constitution, and the framers of that instrument never intended that as soon as a county was organized it should immediately, by force of a self-executing clause of the constitution, be entitled to representation in the House. There are fifteen articles in our constitution in which are prescribed the rights of the people and the duties of those who make and enforce our laws. Article 10 provides for the

apportionment of the State every five years upon the basis of the census of the preceding year. It will be seen at a glance that this whole article has sole reference to the duty of the Legislature when making an apportionment and at no other time, and that it does not secure, nor attempt to secure, any rights during the intervals between two apportionments. It leaves to the Legislature—not the House or Senate separately—the right every five years to apportion the State as, in its discretion, may appear for the best interests of the State, subject only to two limitations, viz: 1. That it shall not provide for more than one hundred members of the House and thirty-three Senators; and second, which is the clause you have reference to—that in making an apportionment by law, (which is the act of the Legislature, and not of the House,) every county then organized, i. e. at the time the apportionment is made, shall have at least one representative. The clause (section 1, article 9) reads as follows: "Sec. 1. In the future apportionment of the State, each organized county shall have at least one representative."

That simply means that when by law the State is apportioned, each county then organized shall be entitled to a member, and it was probably inserted for the purpose of putting it beyond the power of the Legislature, in apportioning the State, to cheat any considerable number of people out of representation by forming a number of the smaller counties into one district, and for no other purpose whatever.

In coming to this conclusion I am not unmindful of the fact that the Legislature has always acted on a different construction of the clause in question, and that such action has always been accepted by everybody, myself included, as correct, but my examination of the question has settled the matter so conclusively in my mind that I could not hesitate a moment in giving my opinion as I now do.

You, however, are the sole judges of the election and qualifications of your own members, and having discharged my duty by stating my view of the constitutional questions involved, I leave the matter with you.

Respectfully submitted,

A. L. WILLIAMS,  
Attorney General.

## SPECIAL ORDER.

The Special Order for 2 o'clock as to the right of this House under the constitution, to legally admit more than one hundred members.

Mr. Buchan moved to adopt the minority report of the Committee on Elections, which excludes the members in excess of one hundred from a seat upon this floor.

Mr. Reasoner offered the following amendment:

That it is the sense of this House that all properly organized counties are entitled to representation here.

Mr. Spaulding moved to amend the amendment by adding the words:

"To the extent of the constitutional limit of one hundred members."

The question being upon the amendment to the amendment,

The motion prevailed.

The question being upon the original motion as amended,

The roll call was demanded.

Mr. Willets moved that further call of the roll be dispensed with.

The yeas and nays being demanded, the roll was called with the following result:

Yeas, 62; nays, 31.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Bacon, Banta, Bateman, Beaty, Belden, Bell, Bond, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, DeForrest, Dillard, Eldridge, Fields, Forsee, Frazier, Funston, Harper, Harvey, Henshaw, Hungerford, Hutchings, James, Jeffrey, Lane, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Nugent, O'Driscoll, Peck, Rohrabacher, Scofield, Searcy, Sellers, Shoe-

maker, Simpson, Smith, Snyder, Spaulding, Titus, Turner, Vickers, Ward, Wakefield and Mr. Speaker Kellogg.

The following gentlemen voted in the negative :

Messrs. Allen, Baker, Billings, Bishop, Blakely, Bowers, Brinkman, Curtain, Davis, Forsee, Insign, Gillespie, Green, Guffy, Hodges, Heesman, Hutchinson, Huntington, J. M. Hunter, Kahler, Kalloch, Langdon, Lowe, Morrison, Motz, Plummer, Reasoner, Robinson, Ross, Sexton, Shaw, Stratton, Tough, Veale, Weaver, Wells and Willetts.

Gentlemen absent or not voting were :

Messrs. Gregg and W. J. Hunter.

A majority having voted in favor of the reception of the minority report,

The report was so received.

Mr. Lanter moved to reconsider the vote by which the minority report was received.

Mr. Bond moved to lay the motion on the table.

Which motion prevailed.

By consent,

Mr. Veale offered the following report:

MR. SPEAKER: The Committee on Ways and Means have had under consideration

House Bill No. 84, An act making appropriation for the Legislative Department,

And have instructed me to report the same back to the House and recommend its passage.

G. W. VEALE,

*Chairman.*

Mr. Veale moved that the rules be suspended, and that House Bill No. 84, An act making appropriations for the Legislative Department,

Be considered engrossed and the bill be put upon its third reading.

Which motion prevailed.

The bill was then read, and

The roll was called with the following result :

Yeas, 85 ; nays, 9.

Gentlemen voting in the affirmative were :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Buchan, Childs, Cochran, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForest, Dillard, Edridge, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Nugent, O'Driscoll, Rohrabacher, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. Brown, Ensign, Motz, Peck, Robinson, Smith, Vickers and Ward.

Gentlemen absent or not voting were :

Messrs. Baker, Kalloch, Langdon, Plummer, Reasoner and Weaver.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

## REPORTS OF STANDING COMMITTEES.

By consent,

Mr. Bond, Chairman of the Special Committee, submitted the following report:

MR. SPEAKER: The Special Committee, to whom was referred

House Bill No. 85, An act to authorize certain counties and incorporated cities to aid manufactures,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

W. H. BOND,  
*Chairman.*

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 61, An act to legalize street railways and declare their acts valid,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 49, An act to amend section 1 of article 1, chapter 81, of the General Statutes, civil procedure before justices,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*



**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 69, An act to authorize the county of Lincoln to issue fifteen thousand dollars in bonds to buy a farm for the poor,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 70, An act to authorize Henry S. Buzick to construct and maintain a mill dam across the Saline river,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman,*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 68, An act to authorize the board of county commissioners of Lincoln county to sell any or all property belonging to said county in the old town site of Abram, Lincoln county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 73, An act to legalize the official acts of Henry Vernon, in Lincoln county,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 72, An act to authorize the commissioners of Lincoln county, Kansas, to issue seventy thousand dollars to build a court house and bridges,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 75, An act to amend section 3 of an act entitled an act amendatory of and supplemental to chapter 38 of the General Statutes, relating to school district bonds, approved Feb. 28, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 79, An act to amend section 13 of chapter 25 of the General Statutes of 1868, relating to meeting of county boards,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 80, An act to amend an act to provide for the sale of school lands,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 82, An act legalizing the official acts of certain parties named therein,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 83, An act to define the boundaries of the twelfth judicial district, and to regulate the terms of court therein,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 36, An act to create the fifteenth judicial district, and to provide for a judge thereof, and for holding the terms of court therein,

Have had the same under consideration, and instruct

me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

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The following communications were received from the Secretary of State:

OFFICE SECRETARY OF STATE, }  
JANUARY 24, 1873. }

MR. SPEAKER: In compliance with resolution of the House adopted this day, I have the honor to transmit herewith all the papers on file in this office, relating to the organization of Pawnee and Rooks counties.

Ford county having never been organized is not of record in this office. All papers preliminary to the organization of this county are yet in the hands of the Governor.

Very respectfully,

W. H. SMALLWOOD,  
*Secretary of State.*

To HON. JOSIAH KELLOGG,  
*Speaker of the House of Representatives.*

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OFFICE SECRETARY OF STATE, }  
JANUARY 24, 1873. }

MR. SPEAKER: At the urgent request of the Board of Trade of the city of Mobile, I transmit herewith a memorial upon the subject of the proposed Florida ship canal.

Very respectfully,

W. H. SMALLWOOD,  
*Secretary of State.*

P. S. Please refer to Committee on Internal Improvements.

To HON. JOSIAH KELLOGG,  
*Speaker of the House of Representatives.*

By consent,

Mr. D. M. Adams offered the poll books of the election held in the first ward of the city of Topeka, December 28, 1872, for the purpose of taking the sense of the voters of said ward upon a proposition of applying to the Legislature for an act to authorize said ward to become incorporated as a separate city of the second class.

The poll books and the whole subject was referred to the Committee on Corporations.

By consent,

Mr. D. M. Adams introduced

House Bill No. 112, An act supplemental to an act, to establish a code of civil procedure, approved February 25, 1868.

By unanimous consent,

The rules were suspended, and

The bill was read a second time, and

Referred to the Committee on Judiciary.

Mr. Reasoner offered the following resolution :

*Resolved*, That those gentlemen coming from new counties having credentials of election, the same being presented to the Committee on Elections, so that their validity may be ascertained, who, if admitted to a seat in this House, would swell the number of representatives to over one hundred, be invited to remain here during the session of the Legislature, and to make known the wants of their constituency ; and

*Resolved*, That it is the sense of this House that an appropriation should be made to pay said delegate the same in all respects as other members of this House.

Mr. Hutchings moved the following amendment :

*Resolved*, That it is the sense of this House that those persons claiming seats in this House from organized counties beyond the constitutional number of one hundred, and who

have been refused seats by vote of this House, ought to recover their per diem and mileage.

The resolution as amended was adopted.

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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### MORNING SESSION.

SATURDAY, January 25, 1873.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen answered to their names :

Messrs. Allen, Bacon, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lauter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Rohrbacher, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker,

Simpson, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Vickers, Ward, Wakefield, Weaver, Wells, Willetts and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Blakely.

Pending the reading of the Journal,

Mr. Willetts moved that the further reading be dispensed with.

Which motion prevailed.

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Mr. Spaulding gave notice that he was an important witness in a suit pending in the United States District Court at Council Bluffs, Iowa, and asked leave of absence for such a time as would enable him to discharge that duty.

On motion of Mr. Buchan,

The House refused to grant such leave of absence.

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SPECIAL ORDER.

The contested case of Miller vs. Rohrabacker, being the Special Order for this hour,

Mr. Bowers, Chairman of the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee to whom was referred the contested election case of Geo. M. Miller vs. C. A. Rohrabacher, for representative from the ninety-second district, have had the same under careful consideration, and after a thorough examination of all the evidence in the case, beg leave to make the following report:

Your Committee find from the evidence that there was cast in the township of Oxford, in the county of Sumner and State of Kansas, on the fifth day of November A. D. 1872,

for Representative, 295 votes; of which C. A. Rohrabacher received 265, and Geo. M. Miller, 19 votes.

Your Committee further find from the evidence that there was gross fraud and corruption upon the part of the judges and clerks of said Oxford township, and illegal and fraudulent voting allowed by said boards, and repeating done, and your Committee recommend that the entire vote of Oxford township be disregarded.

Your Committee further state that from the evidence they find that Walton township was a voting precinct in said county, and that at said election fifty-five votes were polled for Representative, of which C. A. Rohrabacker received fifty-four votes, and Geo. M. Miller one vote.

Your Committee further find from the evidence that there were three illegal votes and fraudulent votes cast in Gore township in said county, and four illegal votes in South Haren, one in London, and three in Shekaska township in said county.

Your Committee further state that from all the evidence before them, and from the voluntary statements made by Mr. Rohrabacker and by his counsel, J. L. Abbott, and after according to them the privilege of excluding every illegal voter, from which the evidence did not directly bring home to him by the illegal voter's own testimony, and after giving Mr. Rohrabacker the most reasonable and charitable construction your Committee could put upon the testimony, we repeat, that after all this, we still find that Mr. Miller has an indisputable majority of ten votes.

Your Committee therefore recommend that Mr. Miller, the contestor, be and is entitled to his seat in this House.

M. B. BOWERS, *Chairman.*

H. C. FIELDS,

F. E. SIMPSON,

SIMEON MOTZ.

Mr. McDermott offered the following resolution :

*Resolved*, That George M. Miller is the legally elected



Representative of the 92d district, composed of Sumner county, and that he is entitled to a seat in this body in place of C. A. Rohrabacher.

Mr. David Adams moved to postpone the whole subject until one week from this day, and make it a Special Order for that hour.

Mr. Snyder moved to amend by saying next Thursday.

The motion to amend was lost.

The question recurring on the original motion of Mr. Adams,

The motion was lost.

On motion,

The reading of the testimony was dispensed with.

Mr. O'Driscoll moved to have the testimony printed.

Which motion was lost.

The question recurring on the resolution of Mr. McDermott to admit Mr. Miller to a seat instead of Rohrabacher.

The resolution was adopted.

Mr. McDermot moved to reconsider the vote whereby Mr. Miller gained his seat.

Mr. Bowers moved to lay the motion upon the table.

Which motion prevailed.

Mr. G. M. Miller then appeared and was sworn in as Representative from the 92nd district, embracing Sumner county.

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#### REPORTS OF STANDING COMMITTEES.

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports:

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 102, An act to cede jurisdiction over the Leavenworth military reservation to the United States,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 60, An act to vacate a certain alley in the city of Garnett,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

Mr. Allen, Chairman of the Committee on County Seats and County Lines, submitted the following report: -

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 24, An act to amend an act concerning the location of county seats,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

E. B. ALLEN,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 45, An act to authorize the consolidation of bridge companies organized under the laws of this State, with similar companies organized under the laws of an adjoining State,

Have had the same under consideration, and instruct me

to report the bill back to the House, with the recommendation that it pass.

A. J. BANTA,  
*Chairman.*

Mr. Miller offered the following resolution :

*Resolved*, That it is the sense of this House that Mr. Rohrabacher be allowed his mileage and per diem.

On motion,

The names of Messrs. Baker and Waterman were embraced in the resolution.

The resolution as amended was adopted.

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On motion,

The House adjourned until 2 o'clock Monday next.

A. R. BANKS,  
*Chief Clerk.*

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#### AFTERNOON SESSION.

2 o'clock P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Banta, Bateman, Beaty, Belden, Bell, Billings, Blakely, Bond,

Bowers, Bowron, Brenner, Briakman, Buchan, Childs, Cochran, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Funston, Gregg, Green, Guffy, Harper, Harvey, Hodges, Hoesman, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. M. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Sexton, Shaw, Shoemaker, Smith, Snyder, Stratten, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

• Prayer by the Rev. Mr. Mitchell.

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On motion of Mr. Hutchings the reading of the Journal was dispensed with.

Mr. Allen, Chairman of the Committee on County Seats and County Lines, submitted the following reports:

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 34, An act declaring section lines public highways in Smith county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Roads and Highways.

E. B. ALLEN,  
*Chairman.*

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 25, An act to declare certain section lines public highways.

House Bill No. 27, An act declaring certain section lines in Jewell county public highways.

Also

House Bill No. 103, An act declaring section lines highways in the county of Barton, State of Kansas,

Have had the bills under consideration, and instruct me to report the same back to the House, recommending that they be referred to the Committee on Roads and Highways.

E. B. ALLEN,  
*Chairman.*

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports:

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 8, An act to amend an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases,

Have had the same under consideration, and the majority instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 96, An act to amend section one of an act entitled an act to amend section 36 of article 2, chapter 25, of the General Statutes relating to counties and county officers, approved March 1, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 71, An act to amend an act to increase the terms of court in Lincoln county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected for the reason that it is so defective that the Committee can neither amend nor report a substitute.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 95, An act to amend section 253, of chapter 80, of the General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 98, An act amendatory to section thirty-four, chapter ninety-two of Statutes of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be referred to the Committee on Education.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 81, An act relating to municipal bonds and amendatory of sections 13 and 15 of chapter 68 of the session acts of 1872, and providing for the registration of the same,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 67, An act to amend an act entitled an act to regulate the jurisdiction and procedure before justices of the peace in civil cases,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, the subject-matter being contained in House Bill No. 8.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 42, An act in relation to the issuing of municipal bonds and amendatory to section 3, chapter 68, of the Session Laws of 1872,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 111, An act to amend sections 1, 5, 8 and 57, of chapter 60, of the General Statutes of 1868, in reference to lunatics and habitual drunkards,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 43, An act to amend sections 325 and 328 of article 16 of the code of criminal procedure,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 7, An act to regulate taxation on the change of county lines,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 74, An act supplemental to an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 88, An act authorizing the county treasurer of Ellsworth county to transfer certain county bonds,

Have had the same under consideration, and instruct me



to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 40, An act in relation to Penitentiary convicts, and to amend section 28, chapter 77, of the General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, the Committee reporting herewith a substitute for said bill entitled an act to amend section 28, chapter 77, of General Statutes of 1868.

A. J. BANTA,  
*Chairman.*

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, submitted the following reports:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred substitute for

House Bill No. 3, An act to authorize the persons therein named to exercise the rights of majority,

Have had the same under consideration, and instruct me to report the bill back to the House correctly engrossed.

JEFFREY,  
*Chairman.*

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bill No. 9, An act for the relief of George Campbell,

Have had the same under consideration, and instruct me to report the bill back to the House correctly engrossed.

JEFFREY,  
*Chairman.*

**MR. SPEAKER:** The Committee on Engrossed Bills, to whom was referred

House Bill No. 23, An act to amend section 75 of chapter 24, General Statutes of 1868, defining the boundaries of counties, as amended by act approved March 1, 1870,

Have had the same under consideration, and instruct me to report the bill back to the House correctly engrossed.

**JEFFREY,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Engrossed Bills, to whom was referred

House Bill No. 21, An act to vacate cemetery grounds in Blue Rapid City, Marshall county,

Have had the same under consideration, and instruct me to report the bill back to the House correctly engrossed.

**JEFFREY,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Engrossed Bills, to whom was referred

House Bill No. 17, An act to enable the county commissioners of Republic county to issue bonds to pay their indebtedness,

Have had the same under consideration, and instruct me to report the bill back to the House correctly engrossed.

**JEFFREY,**  
*Chairman.*

**Mr. Bowers,** Chairman of the Committee on Elections, submitted the following reports:

**MR. SPEAKER:** The Committee on Elections, to whom was referred

House Bill No. 101, An act for the registry of electors, and to prevent fraudulent voting,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be printed.

M. B. BOWERS,  
*Chairman.*

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports :

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred,

House Bill No. 32, An act to create and establish a State road in Mitchell, Lincoln and Ellsworth counties,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, the subject-matter being more fully set forth in House Bill No. 87.

J. BRENNER,  
*Chairman.*

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred

House Bill No. 107, An act to repeal an act entitled an act in relation to road districts, approved March 1, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass.

J. BRENNER,  
*Chairman.*

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred

House Bill No. 87, An act to establish a State road through the counties of Rice, Ellsworth, Lincoln, Mitchell and Jewell,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

J. BRENNER,  
*Chairman.*

## MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 6, Relating to postage stamps.

House Concurrent Resolution No. 2, Relating to joint rules.

Committee on the part of the Senate:

Senator Price.

House Concurrent Resolution No. 3, Respecting school lands sold by the general government,

With an amendment thereon noted.

GEO. C. CROWTHER,

*Secretary.*

House Concurrent Resolution No. 3, Relating to school lands sold by the general government,

Was then taken up and considered.

Mr. Scofield moved to concur in the amendment of the Senate.

Which motion prevailed.

House Concurrent Resolution No. 3:

WHEREAS, By the act of admission of Kansas into the Union, section 3, public lands are guaranteed to the State of Kansas for school purposes as follows, to-wit: Sections numbered 16 and 36 in every township of public lands in said State, and where either of said sections or any part thereof has been sold or otherwise been disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to said State for the use of schools; and

WHEREAS, The general government has disposed of the tract of land known as the Cherokee Neutral Lands in Kansas by patent in fee simple to the Cherokee Nation of Indians; and

**WHEREAS**, The sixty-nine sections, numbered 16 and 36, were not reserved to the State of Kansas in accordance with the provisions of the act of admission of Kansas; therefore,

*Be it resolved*, That we call the attention of our Senators and members in Congress to this matter, and earnestly request that they procure the passage of an act granting sixty-nine sections of public lands to the State of Kansas for school purposes in lieu of the said land sold as above. *Provided*, That but two sections shall be selected in any one congressional township.

*Resolved*, That the Secretary of State be and is hereby instructed to furnish our Senators and members of Congress with a copy of this resolution.

Mr. Buchan offered the following :

*Resolved by the House of Representatives, the Senate concurring therein :*

That a committee of three on the part of the House, and one on the part of the Senate, be appointed to prepare and report joint rules for the government of the present session of the Legislature, and that the joint rules of the last Legislature be adopted until otherwise ordered.

Mr. Scofield moved to amend

Senate Concurrent Resolution No. 6, In relation to postage stamps,

By adding the Secretary of the Senate and Chief Clerk of the House.

Which motion prevailed.

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MESSAGE FROM THE SENATE.

**MR. SPEAKER** : I am directed to inform your honorable body that the Senate has adopted the report of the Committee of Conference on

Senate Concurrent Resolution No. 10, Relating to newspapers,

A copy of which is herewith transmitted.

Senate Concurrent Resolution No. 19, Relating to expenditures for the improvement of the State House grounds,

House Concurrent Resolution No. 4, Referring to soldiers' bounty land bill.

House Conucurrent Resolution No. 5, Relating to mail routes,

With sundry amendments thereon noted,

In which your concurrence is respectfully desired.

GEO. C. CROWTHER,

*Secretary.*

Senate Concurrent Qesolution No. 10, In relation to newspapers,

Was taken up.

Mr. Scofield moved to adopt the report of the Conference Committee.

Mr. Peck moved to indefinitely postpone the whole subject.

Mr. D. M. Adams moved to amend by saying the House non-concurred.

Which motion was lost.

The question being on the motion to postpone,

The yeas and nays were had with the following result :

Yeas, 31 ; nays, 55.

The following gentlemen voted in the affirmative :

Messrs. D. M. Adams, Beaty, Blakely, Bond, Bowron, Brenner, Brown, Cochrane, Cooper, Cummings, DeForrest, Ensign, Funston, Gregg, Guffy, James, Jeffrey, Kahler, G. M. Miller, Nugent, O'Driscoll, Peck, Sexton, Smith, Vickers, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bateman, Belden, Bell, Billings, Bishop, Bowers, Brinkman, Buchan, Childs, Crew, Cross, Curtain, Davis, Dillard, Eldridge, Fields, Forsee, Frazier, Gillespie, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morgan, Morrison, Motz, Plummer, Reasoner, Robinson, Rohrabacher, Ross, Scofield, Searcy, Sellers, Shaw, Shoemaker, Simpson, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Ward and Weaver.

The motion was lost.

The question recurring on the motion to adopt the Conference Committee report,

The motion prevailed.

WHEREAS, The Soldiers' Bounty Land Bill was passed in the National House of Representatives, on the twelfth day of December, A. D. 1872, will be before the United States Senate for their consideration during the present session ; therefore,

*Be it resolved by the House of Representatives of the State of Kansas, The Senate concurring :*

That we earnestly recommend to the honorable Senators from the State of Kansas, that they favor and use their influence for the passage of the bill.

*Be it further resolved,* That a copy of these resolution be forwarded to each of the Representatives of the State of Kansas, in the Senate of the United States.

Senate Concurrent Resolution No. 19, Relating to expenditures for the improvement of the State House grounds,

Was taken up and, on motion, adopted.

House Concurrent Resolution No. 5, Relating to mail routes,

With sundry amendments, was concurred in by the Senate.

*Be it resolved by the House of Representatives, the Senate concurring :*

That the Postmaster General be and is hereby requested to recommend to Congress, the establishment of the mail routes hereinafter named.

One from Topeka to Alma, Wabaunsee county, Kansas, with tri-weekly services by way of Auburn in said State.

One from Topeka to Alma, Wabaunsee county, running by way of Auburn, Dover, Grant and Newbury.

One from Ellis, Ellis county, to the county seats of Phillips and Norton counties.

One from Osage Mission via. Girard to Carthage Mo.; services to be semi-weekly.

One from Alma by way of Dr. Brash's and Exonville to Council Grove and back once a week.

One from Burlington, Coffey county, to Madison, Greenwood county; service semi-weekly.

One from Wichita to Medicine Lodge, Barbour county; service, semi-weekly.

The Secretary of State be and he is hereby requested to transmit to the Postmaster General and our delegation in congress a copy of the foregoing.

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MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate refuses to concur in House amendments to

Senate Concurrent Resolution No. 16, Relating to printing the Governor's message.

GEO. C. CROWTHER,  
*Secretary.*



Mr. Cochran moved that the House adhere to its amendments.

Mr. Veale moved to recede from its amendment.

Which motion was lost.

The question recurring on the motion to adhere,

The motion prevailed.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 14, Memorializing congress to extend the time of payment of its lands, included in what is known as the Cherokee Strip, on the southern border of Kansas.

In which your concurrence is respectfully desired.

GEO. C. CROWTHER,

*Secretary.*

Mr. Childs moved that

Senate Concurrent Resolution No. 14, Memorializing congress to extend the time of payment of its lands included in what is known as the Cherokee Strip, on the southern border of Kansas,

Be adopted.

Which motion prevailed.

Mr. Childs offered the following:

House Concurrent Resolution No. 9, To appoint a committee to visit the Insane Asylum, at Osawatomie.

That a committee of one Senator and two Representatives be appointed to visit the State Insane Asylum, at Osawatomie, to inquire into the conditions, etc.

Mr. Hutchings offered the following resolution:

*Resolved*, That the State Auditor be requested to furnish as soon as practicable to the House of Representatives the following information :

1. A statement showing the aggregate amount of all State, county, township, city, school district and other bonds registered in his office.

2. A statement showing the aggregate amount of all bonds issued to aid in the construction of railroads registered in his office.

Which resolution was adopted.

Mr. Billings offered the following resolution :

*Resolved*, That all bills and resolutions relating to names of counties be referred to a committee of five, to be appointed by the Speaker.

Which resolution was adopted.

Mr. Titus offered the following resolution :

*Resolved*, That the Attorney General of the State be requested to inform the House in writing, at his earliest convenience, by what authority, if any, the county of Wallace may be required to make annual returns of its taxable property to the Auditor of State, and why immediate action should not be taken to compel said county to make payment of all taxes due the State from the date of its organization as a county in 1868.

Which resolution was adopted.

On motion,

House Bill No. 57, An act to authorize the city of Independence to issue bonds of said city to liquidate their indebtedness,

Was recommitted to the Committee on Judiciary.

INTRODUCTION OF BILLS.

By Mr. Sellers,

House Bill No. 113, An act to amend sections 5, 13, 14, 29 and 30, of chapter 105, in relation to strays.

Read first time.

By Mr. Childs,

House Bill No. 114, An act to repeal all acts authorizing counties, municipal townships and cities to issue bonds to railroad companies.

Read first time.

By Mr. Eldridge,

House Bill No. 115, An act to authorize the making of deeds of trust to secure the payment of money by the grantors to third persons, with power of sale therein, and to regulate the rights of parties thereunder, and to amend section 309 of civil procedure, and repealing all laws inconsistent therewith.

Read first time.

By Mr. Shoemaker,

House Bill No. 116, An act to amend an act entitled an act to amend an act regulating the jurisdiction and civil procedure before justices of the peace in civil cases.

Read first time.

By Mr. Brinkman,

House Bill No. 117, An act authorizing the county commissioners to issue and sell the bonds of the county.

Read first time.

By Mr. Brinkman,

House Bill No. 118, An act authorizing School District No. 1, of Barton county, to issue additional bonds.

Read first time.

By Mr. Brinkman,

House Bill No. 119, An act to provide for the security of railroad passengers in the State of Kansas.

Read first time.

By Mr. Belden,

House Bill No. 120, An act to legalize the official acts of the city of De Soto, a city of third class in Johnson county, Kansas.

Read first time.

By Mr. Ensign,

House Bill No. 121, An act declaring section lines in the county of Harvey, public highways.

Read first time.

By Mr. Brenner,

House Bill No. 122, An act to amend an act to provide for the regulation of running at large of animals.

Read first time.

By Mr. David Adams,

House Bill No. 123, An act to appropriate \$51 to R. V. Kennedy.

Read first time.

By Mr. Hutchings,

House Bill No. 124, An act to amend an act entitled an act respecting notaries public, being chapter 71 of the General Statutes of Kansas.

Read first time.

By Mr. Hutchings,

House Bill No. 125, An act for the relief of the tax payers of school district No. 5, Neosho county, Kansas.

Read first time.

By Mr. Cross,

House Bill No. 126, An act making appropriations for the State Penitentiary for the fiscal year 1873.

Read first time.

By Mr. Davis,

House Bill No. 127, An act to amend chapter 39 of the General Statutes of 1868, entitled an act fixing the fees of certain officers and persons therein named.

Read first time.

By Mr. Veale,

House Bill No. 128, An act to amend an act entitled an act to incorporate cities of the second class, approved February 28, 1872.

Read first time.

Mr. Lanter moved to suspend the rules and allow all bills introduced to-day to be read a second time now.

Which motion prevailed.

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BILLS ON SECOND READING.

House Bill No. 113, An act to amend sections 5, 13, 14, 29 and 30, of chapter 105, in relation to strays.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 114, An act to repeal all acts authorizing counties, municipal townships and cities to issue bonds to railroad companies.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 115, An act to authorize the making of deeds of trust to secure the payment of money by the grantor to a third person, with power of sale therein, and to regulate the rights of parties thereunder, and to amend section 399 of civil procedure, and repealing all laws inconsistent therewith.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 116, An act to amend an act entitled an act to amend an act regulating the jurisdiction and procedure before justices of the peace in civil cases.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 117, An act authorizing the county commissioners of Barton county to issue and sell the bonds of the county.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 118, An act authorizing school district No. 1 of Barton county to issue additional bonds.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 119, An act to provide for the security of railroad passengers in the State of Kansas.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 120, An act to legalize the official acts of the city council of the city of DeSoto, a city of the third class in Johnson county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 121, An act declaring section lines in the county of Harvey public highways.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 122, An act to amend an act entitled an act to provide for the regulation of the running at large of animals.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 123, An act to appropriate fifty-one dollars to R. V. Kennedy.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 124, An act to amend an act entitled an act respecting notaries public, being chapter 71, General Statutes of Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 125, An act for the relief of tax payers of School District No. 5, Neosho county, State of Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 126, An act making appropriations for the State Penitentiary for the fiscal year of 1873.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 127, An act to amend chapter 39 of General Statutes of 1868, entitled an act fixing the fees of certain officers and persons named therein.

Read the second time, and

Referred to the Committee on Fees and Salaries.

House Bill No. 128, An act to amend an act entitled an

act to incorporate cities of the second class, approved February 28, 1862.

Read the second time, and

Referred to the Committee on Cities of Second Class.

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BILLS ON THIRD READING.

Substitute for House Bill No. 23, An act to amend section 75 of chapter 24 of the General Statutes, defining the boundaries of counties,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 74; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Billings, Bond, Bowers, Brenner, Brinkman, Brown, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harvey, Henshaw, Hutchings, Hutchinson, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Turner, Veale, Vickers, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

The following gentlemen voted in the negative:

Messrs. Davis and Titus.

Gentlemen absent or not voting were:

Messrs. Bacon, Belden, Bishop, Blakely, Bowron, Buchan, Gillespie, Green, Harper, Hodges, Hoesman, Hungerford,



Huntington, J. M. Hunter, Legere, Langdon, Motz, Ross, Tough and Weaver.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

On motion, Mr. Huntington was granted leave of absence on account of sickness in his family.

House Bill No. 21, An act to vacate cemetery grounds in Blue Rapids City, Marshall county,

Was read the third time.

And the question being: Shall the bill pass:

The yeas and nays were had with the following result:

Yeas, 80; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beatty, Belden, Bell, Billings, Bishop, Bond, Bowers, Bowron, Brenner, Brown, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, O'Driscoll, Peck, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells Willets and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. Blakely, Brinkman, Buchan, Childe, Gillespie,

Green, Huntington, J. M. Hunter, Langdon, Mapes, Motz, Nugent, Plummer, Reasoner, Ross, Scofield, Spaulding, Stratton and Tough.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 5, An act authorizing the county commissioners of Cowley county, Kansas, to issue bonds to liquidate the indebtedness of said county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 78: nays, 3.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Bateman, Belden, Bell, Billings, Bishop, Bond, Bowers, Bowron, Brenner, Brinkman, Childs, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Plummer, Reasoner, Robinson, Searcy, Sexton, Shaw, Shoemaker, Smith, Snyder, Stratton, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willetts and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Banta, Blakely and Cochrane.

Gentlemen absent or not voting were :

Messrs. Bacon, Beaty, Brown, Buchan, Eldridge, Gillespie, Green, Huntington, Lane, Lanter, Mapes, Peck, Ross, Scofield, Sellers, Simpson, Spaulding, Titus and Tough.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 17, An act to enable the county commissioners of Republic county to issue bonds to pay their indebtedness,

Was read the third time.

And the question being: Shall the bill pass:

The roll was called with the following result:

Yeas, 81; nays, 3.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Bakér, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Bond, Bowens, Bowron, Brenner, Brinkman, Brown, Childs, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kallooh, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sexton, Shaw, Smith, Snyder, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. Bacon, Blakely and Cochrane.

Gentlemen absent or not voting were :

Messrs. Buchan, Gillespie, Huntington, Langdon, Lanter, Mapes, Motz, Ross, Scofield, Sellers, Shoemaker, Simpson and Spaulding.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 9, An act for the relief of George Campbell,

Was read the third time.

And the question being : Shall the bill pass ?

The roll was called with the following result :

Yeas, 87 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Legere, Lowrey, Lowe, McDonald, McLean, G. M. Miller, J. W. Miller, Morgan, Morrison, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Smith, Snyder, Stratton, Titus, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. Green, Hodges, Huntington, Langdon, Lanter, Mapes, McDermett, Motz, Ross, Scofield, Simpson, Spaulding and Tough.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Substitute for House Bill No. 3, An act to enable certain minors to exercise the rights of majority,

Was then taken up and ordered to retain its place on the Calendar until further ordered.

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

## MORNING SESSION.

TUESDAY, January 28, 1873.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, Childs DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Bakewell.

The Journal was read and approved.

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Mr. Buchan offered the following resolution :

*Resolved*, That the Speaker be requested to enforce Rule

No. 4 regulating admission to this House, and that said rule be continued in force during this day.

Mr. D. M. Adams moved to lay the motion on the table.

Which motion prevailed.

Mr. Cochrane moved to ask a Committee of Conference on the Governor's Message.

Which motion prevailed.

Messrs. Cochrane, Tough and Ward were appointed as that Committee.

House Concurrent Resolution No. 9, In relation to the appointment of a committee to visit the State Insane Asylum at Osawatomie,

Was then read and adopted.

Mr. Buchan then moved to adjourn for recess till 10 minutes before 12 o'clock m.

Which motion prevailed.

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NOON SESSION.

11:50 A. M.

House met pursuant to adjournment.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searoy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

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Mr. Hutchinson moved that the House now proceed to vote for United States Senator.

Which motion prevailed.

Mr. Gillespie nominated Hon. S. C. Pomeroy.

Mr. Childs nominated C. A. Logan.

Mr. Kahler nominnted James M. Harvey.

Mr. Cochrane nominated D. P. Lowe.

Mr. Cross nominated J. M. Price.

Mr. O'Driscoll nominated Chas. Robinson.

Mr. Bishop nominated W. A. Phillips.

Mr. Willets nominated W. A. Roberts.

Mr. O'Driscoll offered the following resolution :

*Resolved*, That in casting our vote for Senator, that each



and every member as his name is called, rise and address the Chair, and then cast his vote for the man of his choice.

Which was adopted.

Mr. Spaulding arose to a question of privilege.

The roll of the House was then called with the following result:

Hon. S. C. Pomeroy received 40 votes.

Hon. D. P. Lowe received 13 votes.

Hon. James M. Harvey received 19 votes.

Mr. C. A. Logan received 11 votes.

Mr. J. M. Price received 3 votes.

D. M. Valentine received 2 votes.

Mr. Morton received 4 votes.

Mr. Robinson received 3 votes

John J. Ingalls received 1 vote.

Thad. H. Walker received 2 votes.

Total number of votes cast, 98.

The following gentlemen voted for Mr. Pomeroy:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Billings, Bowers, Brinkman, Curtain, DeForrest, Eldridge, Ensign, Forsee, Frazier, Gillespie, Gregg, Green, Harper, Hodges, Hoesman, Hutchinson, Kalloch, Legere, Lowe, Mapes, McDermott, G. M. Miller, Merrison, Motz, Reasoner, Robinson, Ross, Scofield, Sexton, Shaw, Shoemaker, Simpson, Titus, Turner, Veale, Weaver, Wells, Willetts and Mr. Speaker Kellogg.

Gentlemen voting for James M. Harvey were:

Messrs. Beaty, Bishop, Blakely, Buchan, Cooper, Davis, Guffy, J. M. Harvey, W. J. Hunter, Jeffrey, Kahler, Lowrey, McLean, Peck, Smith, Snyder, Stratton, Wakefield and Wells.

Gentlemen voting for Hon. D. P. Lowe were :

Messrs. Belden, Bell, Brenner, Brown, Cochrane, Funston, Harvey, Henshaw, James, Lauter, McDonald, Vickers and Willets.

Gentlemen voting for Mr. Logan were :

Messrs. Bond, Childs, Crew, Dillard, Fields, J. M. Miller, Morgan, Plummer and Tough.

Gentlemen voting for Mr. Price were :

Messrs. Bowron, Cross and Larkin.

Gentlemen voting for Mr. Valentine were :

Messrs. Bateman and Nugent.

Gentlemen voting for Mr. Morton were :

Messrs. Hungerford, Lane, Sellers and Ward.

Gentlemen voting for Mr. Robinson were :

Messrs. Hutchings, O'Driscoll and Searcy.

Gentlemen voting for Mr. Walker were :

Messrs. Bacon and Cummings.

Mr. Spaulding voted for John J. Ingalls.

On motion of Mr. Hutchinson,

The House adjourned until 12 m. to-morrow.

A. R. BANKS,

*Chief Clerk.*

## MORNING SESSION.

WEDNESDAY, JANUARY 29, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Baldrige.

Mr. Scofield moved to clear the lobby.

Which motion was lost.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 20, Relating to a joint session for the election of a United States Senator.

GEO. C. CROWTHER,  
*Secretary.*

On motion of Mr. Willets,

The resolution was concurred in.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate is now ready to meet in joint convention for the election of a United States Senator.

GEO. C. CROWTHER,  
*Secretary.*

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JOINT CONVENTION

For the election of a United States Senator to succeed the Hon. S. C. Pomeroy from the 4th day of March proximo to the 4th day of March, A. D. 1879.

HOUSE OF REPRESENTATIVES, }  
TOPEKA, KANSAS, January 27, A. D. 1873. }

12 o'clock, M.

This being the day designated by the Congress of the United States for the convening of the Legislature in Joint Assembly for the purpose of electing a United States Senator, in accordance with an act passed at the first session of the thirty-ninth congress, entitled an act to regulate the times and manner of holding elections for Senators in Congress, approved July 25th, 1866. The Senate and House of Representatives of the State of Kansas convened in Joint Assembly at 12 o'clock meridian for the purpose of electing a United States Senator for six years in pursuance of the said act of Congress.

Lieutenant Governor, E. S. Stover, President of the Senate, called the Joint Assembly to order.

The Secretary of the Senate proceeded to call the roll of the Senate.

The following Senators were present and answered to their names:

Messrs. Blair, Brandley, Butler, Barker, Crichton, Edwards, Ely, Grimes, Guerin, Johnson, Judd, Martin, Martindale, Matheny, McFarland, McWirt, Moonlight, Morrill, Murdock, O'Neil, Palmer, Price, Rogers, Schmidt, Simons, Simpson, St. John, Topping, Walker, J. C. Wilson, V. P. Wilson, Winters and York.

The Chief Clerk of the House then proceeded to call the roll of the House.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kallooh, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

The President of the Joint Assembly announced that a quorum of the two Houses was present, convened in Joint Assembly for the purpose of reading the Journals of the two

Houses and electing a Senator to the United States Senate for six years.

The Secretary of the Senate and Chief Clerk of the House read their Journals of the proceedings of the previous day.

No person having received a majority of all the votes cast, there is no choice in the action of the two Houses and the Joint Assembly will proceed to the election of a United States Senator for six years from the fourth of March next.

Mr. Guerin offered the following resolution :

*Be it resolved*, By this convention, that all persons be excluded from the floor of the House of Representatives during the balloting for United States Senator, except members of the Senate and House of Representatives with officers thereto attached, and the regular press reporters, together with the ladies, who are already on the floor of the House.

Mr. Guerin insisted that the floor of the House be cleared.

Mr. Reasoner moved that the rules be suspended.

A vote being taken, the rules were suspended.

Mr. Johnson offered the following resolution :

*Resolved*, That in taking the vote for United States Senator in Joint Session, the following shall be the manner of taking the vote.

That as the Secretary of the Senate shall call the roll, each member as his name is called shall rise in his place and address the President and remain standing until recognized by the President, and then vote for the man of his choice.

Mr. O'Driscoll arose to a question of privilege and explained why he challenged the vote of Mr. David Adams on yesterday.

Mr. Price moved that we now proceed to vote for a United States Senator.

Mr. Guerin nominated John J. Ingalls.

Mr. Hutchinson moved that we now take a recess until five P. M.

The roll was called, and the motion was lost.

The Secretary then called the roll with the following result:

Mr. Ingalls received 115 votes.

Mr. Lowe received 6 votes.

Mr. Clarke received 2 votes.

Mr. Harvey received 2 votes.

Mr. York received 2 votes.

Mr. Kingman received 1 vote.

Mr. Robinson received 1 vote.

The following Senators voted for Mr. Ingalls:

Messrs. Blair, Brandley, Edwards, Ely, Grimes, Guerin Johnson, Judd, Martin, Matheny, McFarland, McWirt, Moon, light, Morrill, O'Neil, Palmer, Price, Rogers, Schmidt, Simons, Simpson, St. John, Topping, Walker, J. C. Wilson, Winters and York.

The Chief Clerk then called the roll of the House with the following result:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoelman, Hungerford, Hutchinson, J. M. Hunter, J. W. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Scofield, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

The following named gentlemen voted for Mr. Lowe:

Messrs. Butler, Crichton, Cummings, Curtain, Murdock and Willets.

The following named gentlemen voted for Mr. Clarke:

Messrs. D. M. Adams and Lowe.

The following named gentlemen voted for Mr. Harvey:

Messrs. Barker and V. P. Wilson.

The following named gentlemen voted for Mr. York:

Messrs. Martindale and Sexton.

The following named gentleman voted for Mr. Kingman:

Mr. McDermott.

The following named gentleman voted for Mr. Robinson:

Mr. Hutchings.

Mr. Titus wished his vote recorded for—blank.

Mr. Moonlight offered the following resolution:

*Resolved*, That the thanks of this Convention be and the same is hereby tendered to Hon. A. M. York for the services he has rendered this Convention and the people in exposing the corruption of S. C. Pomeroy.

Mr. Scofield moved that a committee of three be appointed to wait upon the Senator elect and bring him upon the floor.

Which motion prevailed.

The President appointed

Messrs. Scofield, St. John and Moonlight a Committee.

Mr. Edwards moved that the money deposited on the Secretary's desk be placed in the hands of the President of the Senate, and that it remain there until such time as a committee of investigation can be appointed.

Which motion prevailed.

Mr. Scofield made the following report:



MR. PRESIDENT: Your Committee appointed to wait upon Hon. J. J. Ingalls, the Senator elect, have been unable to find him in the House.

John J. Ingalls, of the county of Atchison, having received a majority of all the votes cast by the Joint Assembly of the Legislature, was declared duly elected United States Senator from the State of Kansas for the term of six years from the 4th of March next.

In accordance with the result of the proceedings of the Joint Convention for the election of a United States Senator, the President of the Senate and the Speaker of the House of Representatives, subscribed the following certificate:

We do hereby certify that the Senate and House of Representatives of the State of Kansas in Joint Convention assembled at Topeka, the capital of said State, did on the first Wednesday after the fourth Tuesday in January A. D. 1873, elect John J. Ingalls of the county of Atchison to succeed S. C. Pomeroy from the 4th day of March proximo to the 4th day of March, A. D. 1879. In pursuance of an act of the Congress of the United States in such cases made and provided.

E. S. STOVER,  
*President of the Senate.*

Attest:

GEO. C. CROWTHER,  
*Secretary of the Senate.*

JOSIAH KELLOGG,  
*Speaker of the House of Representatives.*

Attest: A. R. BANKS.  
*Chief Clerk.*

On motion, the Joint Convention dissolved.

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On motion,  
The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

## MORNING SESSION.

THURSDAY, January 30, 1873.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Larkin, Lanter, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Plummer, Reasoner, Robinson Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Snyder, Spaulding, Stratton, Tough, Turner, Vickers, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Blakesly.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed .

House Bill No. 84, An act making appropriations for the Legislative department,

With amendments thereto,

In which your immediate concurrence is desired,

GEO. C. CROWTHER,

*Secretary.*

Mr. Eldridge moved to concur in Senate amendment to House Bill No. 84.

Which motion prevailed.

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On motion,

The House adjourned to meet at 2 o'clock P. M.

A. R. BANKS,

*Chief Clerk.*

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AFTERNOON SESSION.

MONDAY, February 3, 1873, 2 o'clock P. M.

House met pursuant to adjournment.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. D. M. Adams, Baker, Banta, Belden, Billings, Bishop, Blakely, Bond, Brown, Buchan, Cooper, Cross, Cummings, Curtain, Davis, Dilliard, Ensign, Fields, Henshaw,

Hoesman, Hutchings, Hutchinson, Jeffrey, Kahler, Kalloch, Lane, Lowe, McDermott, McLean, G. M. Miller, Peck, Reasoner, Robinson, Seofield, Searcy, Sellers, Simpson, Snyder, Titus, Tough, Veale, Weaver, Willets and Mr. Speaker Kellogg.

Prayer by the Rev. Mr. Mitchell.

No quorum present.

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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### MORNING SESSION.

TUESDAY, FEBRUARY 4, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bishop, Blakely, Bond, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, James, Jeffrey,

Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searoy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Blakesley.

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Mr. Hodges excused on account of sickness.

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#### PETITION PRESENTED.

Mr. Reasoner offered petition of citizens of Osborne county, praying for a State road.

Referred to the Committee on Roads and Highways.

Mr. Lane presented the petition of J. D. Holmes and others, remonstrating against the passage of any and all bills making changes in the laws relating to the removal of county seats.

Referred to the Committee on County Lines and County Seats.

Mr. Davis presented petitions of citizens of Ottawa county to codify laws.

Referred to the Committee on Judiciary.

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#### REPORTS OF STANDING COMMITTEES.

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER:** The Committee on Enrolled Bills, to whom was referred

House Bill No. 84, An act making appropriations for the Legislative department,

Have had the same under consideration, and instruct me to report the bill back to the House correctly enrolled, and have submitted it to the Governor for his signature.

**WM. J. BLAKELY,**  
*Chairman.*

**Mr. Banta,** Chairman of the Committee on Judiciary, submitted the following report:

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Joint Resolution No. 3, Recommending a Constitutional Convention,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, the subject-matter being contained in House Joint Resolution No. 2.

**A. J. BANTA,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Joint Resolution No. 2, Recommending a Constitutional Convention,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, and the adoption of the substitute for the same herewith reported.

**A. J. BANTA,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

**MR. SPEAKER:** The Committee on Elections, to whom was referred

House Bill No. 106, An act to amend section 62 of civil drocedure before justices of the peace in civil cases,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

House Bill No. 89, An act in relation to certain officers therein named,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 78, An act to authorize School District No. 1, Coffey county, to issue additional bonds,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 112, An act supplemental to an act entitled an act to establish a code of civil procedure, approved February 25, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 105, An act to amend section 5, chapter 88, laws of 1870,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 116, An act to amend an act entitled an act to amend an act regulating the jurisdiction and civil procedure before justices of the peace in civil cases,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, the subject-matter being contained in House Bill No. 105.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 125, An act for the relief of the tax payers of school district No. 5, Neosho county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 35, An act to legalize the official acts of a township assessor and deputy assessor,

Have had the same under consideration, and instruct me



to report the bill back to the House with the recommendation that it be printed.

A. J. BANTA,

*Chairman,*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 90, An act legalizing conveyances made by the trustees of the Geneva Presbyterian Academy,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

A communication received from the Auditor of State, relating to Bonds, was received, and pending the reading of the same,

Mr. Spaulding moved the further reading of the communication be dispensed with, and that it be printed for the use of the members of the House.

Which motion prevailed.

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MESSAGE FROM THE SENATE.

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has acceded to your request for a Committee of Conference on

Senate Concurrent Resolution No. 16, Relating to printing the Governor's message.

Committee on the part of the Senate:

Messrs. Morrill, Schmidt and Murdock.

And has concurred in House amendment to

Senate Concurrent Resolution No. 6, Relating to postage stamps,

And has adopted

Senate Concurrent Resolution No. 15, Relating to the  
cession of Fort Riley Military Reservation to the State of  
Kansas,

And

Senate Concurrent Resolution No. 21, Relating to an in-  
vestigation committee on the part of the Senate.

GEO. C. CROWTHER,  
*Secretary.*

Senate Concurrent Resolution No. 15,

Was laid over under the rules.

Senate Concurrent Resolution No. 21, Relating to inves-  
tigation.

Was taken up for consideration.

Mr. Hutchings moved to amend by saying five from the  
House and three from the Senate.

On motion,

The amendment was adopted.

The original resolution, as amended, was,

On motion, adopted.

Mr. Bond moved that

House Bill No. 102

Be referred to the Leavenworth delegation.

Which motion prevailed.

Mr. Kalloch offered the following :

House Concurrent Resolution No. 10, In relation to an  
investigation.

Mr. Veale moved that the rules be suspended, and

The resolution now considered.

Which motion prevailed.

The question recurring on the resolution,

The resolution was adopted.

Mr. McDermott offered

House Concurrent Resolution No. 11, Requesting Congress to extend the time of payment to the settlers on the Osage Indian lands.

Mr. David Adams offered the following resolution :

*Resolved*, That the Chairman of the Committee on Corporations be and is hereby authorized to employ a clerk.

Mr. Spaulding moved as an amendment to add :

Committee on Insurance and Committee on Cities of the Second Class.

Which motion was lost.

Mr. Eldridge offered the following resolution :

*Resolved*, That in consideration of the large amount of accumulated business on hand, the Committee on Corporations be allowed a temporary clerk to be discharged at the will of said Committee.

Mr. Spaulding moved to amend by saying cities of the second class.

Mr. Buchan moved to amend the amendment by saying cities of the third class.

The question being on the amendment to the resolution,

The amendment was lost.

The question being on the amendment to the amendment,

The amendment to the amendment was lost.

The question recurring upon the original motion,

The motion prevailed.

Mr. Davis offered

House Concurrent Resolution No. 12, Relating to the election of United States Senators by popular vote.

Mr. Buchan offered the following resolution :

*Resolved*, That a committee of three be appointed by the Speaker to visit the Blind Asylum at Wyandotte, and report the condition of said institution to this House, and also to make a report to the Governor respecting the management of said institution.

Which resolution was,

On motion, adopted.

Mr. Buchan offered

House Concurrent Resolution No. 13, Relating to the boundary lines between the State of Kansas and Missouri.

Mr. D. M. Adams offered

House Concurrent Resolution No. 14, Relating to the investigation of the late Auditor of State.

Mr. Adams moved to suspend the rules and consider the resolution.

Which motion prevailed.

The resolution was,

On motion, adopted.

Messrs. Gregg, Brenner, Brinkman, Wells and Guffy granted leave of absence.

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#### INTRODUCTION OF BILLS.

By Mr. Bond,

House Bill No. 129, An act providing for recording of soldiers discharges.

Read first time.

By Mr. Bond,

House Bill No. 130, In relation to the rights and liabilities of owners, lessors, lessees, and occupants of buildings and leased premises.

Read first time.

By Mr. Bond,

House Bill No. 131, An act to authorize proceedings by garnishment in the district court.

Read first time.

By Mr. Bond,

House Bill No. 132, An act to amend section 470, article 20 of the code of civil procedure, approved February 25, 1868.

Read first time.

By Mr. Bond,

House Bill No. 133, An act to authorize cities of the first class to sprinkle streets therein.

Read first time.

By Mr. Eldridge,

House Bill No. 134, An act for the encouragement and protection of private capital.

Read first time.

By Mr. Snyder,

House Bill No. 135, An act to amend chapter 80 of the General Statutes of 1868, section No. 581.

Read first time.

By Mr. Blakely,

House Bill No. 136, An act to vacate the town of Ashland, Davis county.

Read first time.

By Mr. Davis,

House Bill No. 137, An act to amend chapter 120 of the Laws of 1872, entitled an act to define the boundaries of the eighth judicial district, and to regulate the terms of court therein.

Read first time.

By Mr. Gillespie,

House Bill No. 138, An act to provide for calling a convention to revise, alter or amend the constitution of the State of Kansas.

Read first time. ✓

By Mr. Peck,

House Bill No. 139, An act to provide for the requirements of House Bill No. 65.

Read first time.

By Mr. McDonald,

House Bill No. 140, An act to vacate portions of the towns of Cherokee, in Crawford county, and Pawnee and Oldham's addition to the town of Osage, in Bourbon county, Kansas.

Read first time.

By Mr. Reasoner,

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868.

Read first time.

By Mr. Sellers,

House Bill No. 142, An act regulating the fees of sheriffs in certain cases.

Read first time.

By Mr. Sellers,

House Bill No. 143, An act to authorize school district No. 16, in Wabaunsee county, to build a school house, and to change the present school site.

Read first time.

By Mr. Banta,

House Bill No. 144, An act to amend section 72, chap-

ter 80, of the General Statutes of 1868, to provide for constructive service in case of change of venue.

Read first time.

By Mr. Banta,

House Bill No. 145, An act to repeal chapter 200 of the laws of 1872, entitled an act in relation to the town of Washington.

Read first time.

By Mr. Banta,

House Bill No. 146, An act to amend an act entitled an act in relation to landlords and tenants.

Read first time.

By Mr. McDermott,

House Bill No. 147, An act for the relief of George M. Miller.

Read first time.

By Mr. McLean,

House Bill No. 148, An act to amend an act entitled an act concerning mortgages.

Read first time.

By Mr. McLean,

House Bill No. 149, An act to amend an act entitled an act to fix the fees of certain officers.

Read first time.

By Mr. McLean,

House Bill No. 150, An act supplemental to an act regulating conveyances of real estate.

Read first time.

By Mr. McLean,

House Bill No. 151, An act supplemental to an act to provide for the settlement and assumption of the Price Raid

Claims of 1864, and the Indian expedition under Major General Curtis in July and August, 1864, approved February 17, 1869.

Read first time.

By Mr. Hutchings,

House Bill No. 152, An act to facilitate the collection of delinquent taxes on personal property.

Read first time.

By Mr. Hutchings,

House Bill No. 153, An act to amend section 139, article 10, chapter 25, General Statutes of 1868, entitled an act relating to counties and county officers.

Read first time.

By Mr. Brown,

House Bill No. 154, An act to authorize the board of county commissioners of Jefferson county, State of Kansas, to issue and sell the bonds of said county for the purpose of completing bridges.

Read first time.

By Mr. Brown,

House Bill No. 155, An act in relation to the division and formation of townships.

Read first time.

By Mr. G. M. Miller,

House Bill No. 156, An act for the relief of certain parties therein named in regard to the purchasing of school lands.

Read first time.

By Mr. Beaty,

House Bill No. 157, An act to legalize the official acts of John A. McCoon, of Miami county, as notary public.

Read first time.



By Mr. Veale,

House Bill No. 158, An act appropriating money to pay the attorneys fees and expenses of C. A. Rohrabacher.

Read first time.

By Mr. Henshaw,

House Bill No. 159, An act to amend section 7 of chapter 68 of the laws of Kansas, approved March 2, 1872.

Read first time

By Mr. Ensign,

House Bill No. 160, An act for changing county lines.

Read first time.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in House amendment to Senate Concurrent Resolution No. 21, Relating to Committee of Investigation.

I. H. ISBELL,  
*Assistant Secretary.*

Mr. Bond moved that the rules be suspended and that all bills introduced and read the first time this morning be read the second time now.

Which motion prevailed.

The following bills were read a second time and referred to their appropriate committees.

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BILLS ON SECOND READING.

House Bill No. 129, An act to provide for the recording of soldier's discharges.

Read second time, and

Referred to the Committee on Militia.

House Bill No. 130, An act in relation to the rights and liabilities of owners, lessors, lessees and occupants of buildings and leased premises.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 131, An act to authorize proceedings by garnishment in the district court.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 132, An act to amend section 470, article 20 of the code of civil procedure, approved February 25, 1868.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 133, An act to authorize cities of the first class to sprinkle streets therein.

Read the second time, and

Referred to Committee on Cities of First Class.

House Bill No. 134, An act for the encouragement and protection of private capital.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 135, An act to amend chapter 80 of the General Statutes of 1868, section No. 581.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 136, An act to vacate the town of Ashland, Davis county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 137, An act to amend chapter 120 of the Laws of 1872, entitled an act to define the boundaries of the

eighth judicial district, and to regulate the terms of court therein.

Read second time, and

Referred to the Committee on Judiciary.

House Bill No. 138, An act to provide for calling a convention to revise, alter or amend the constitution of the State of Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 139, An act to provide for the requirements of House Bill No. 65.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 140, An act to vacate portions of the towns of Cherokee, in Crawford county, and Pawnee and Oldham's addition to the town of Osage, in Bourbon county, Kansas,

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868.

Read second time, and

Referred to the Committee on Judiciary.

House Bill No. 142, An act regulating the fees of sheriff's in certain cases.

Read second time, and

Referred to the Committee on Judiciary.

House Bill No. 143, An act to authorize School District No. 16, in Wabunsee county, to build a school house and to change the present school site.

Read second time, and

Referred to the Committee on Corporations.

House Bill No. 144, An act to amend section 72, chapter 80, of the General Statutes of 1868, to provide for constructive service in case of change of venue.

Read second time, and

Referred to the Committee on Judiciary.

House Bill No. 145, An act to repeal chapter 200 of the Laws of 1872, entitled an act in relation to the town of Washington.

Read second time, and

Referred to the Committee on Judiciary.

House Bill No. 146, An act to amend an act entitled an act in relation landlords and tenants.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 147, An act for the relief of G. M. Miller.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 148, An act to amend an act concerning mortgages.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 149, An act to amend an act entitled an act to fix the fees of certain officers.

Read the second time, and

Referred to the Committee on Fees and Salaries.

House Bill No. 150, An act supplemental to an act regulating conveyances of real estate.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 151, An act supplemental to an act to pro-

vide for the settlement and assumption of the Price Raid Claims of 1864, and the Indian expedition under Major General Curtis in July and August, 1864, approved February 17, 1869.

Read the second time, and

Referred to the Committee on Militia.

House Bill No. 152, An act to facilitate the collection of delinquent taxes on personal property.

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 153, An act to amend section 139, article 10, chapter 25, General Statutes of 1868, entitled an act relating to counties and county officers.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 154, An act authorizing the board of county commissioners of Jefferson county, State of Kansas, to issue and sell the bonds of said county for the purpose of completing bridges.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 155, An act in relation to the division and formation of townships.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 156, An act for the relief of certain parties therein named in regard to the purchasing of school lands.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 157, An act to legalize the official acts of John McKoon of Miami county as notary public.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 158, An act appropriating money to pay the attorney's fees and expenses of C. A. Rohrabacher.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 159, An act to amend section 7 of chapter 68 of the laws of Kansas, approved March 2, 1872.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 160, An act for the change of county lines.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

On motion of Mr. Funston,

House Bill No. 90,

Was ordered printed.

Mr. Fields moved to have

House Bill No. 40 printed.

Which motion was lost.

Mr. Gillespie, by consent, withdrew

House Bill No. 138,

The following gentlemen were appointed a committee to visit the Blind Asylum :

Messrs. Reasoner, Legere and Harvey.

Committee on House Concurrent Resolution No. 14 :

Messrs. D. M. Adams and Childs.

By consent,

The Committee to visit the Insane Asylum was increased to three.

Mr. Lanter was appointed on the Committee.

Mr. Billings moved to reconsider the vote by which the Committee was appointed to name counties.

Mr. Tough offered the following resolution :

*Resolved*, That a Committee of five be appointed to visit the State Penitentiary to inquire into its condition and needs, and report the same to this House.

On motion,

The resolution was adopted.

By consent,

House Bill No. 4, An act to amend an act to authorize municipal corporate authorities to issue bonds for internal improvements, approved March 2, 1872.

Was referred to the Committee on Corporations, and retain its place upon the Calendar.

The Speaker appointed the following Committee to visit the State Penitentiary :

Messrs. Tough, Kalloch, Willets, Searcy and Cross.

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BILLS ON THIRD READING.

House Bill No. 3, Relating to minors,

Was taken up.

Mr. Kahler moved to amend by inserting the name of John Pingray Coffin, a minor of Dickinson county.

Which motion prevailed.

Mr. Billings moved to amend by inserting the name of Nancy Jones, of Morton county.

Which motion prevailed.

The bill was then ordered to lay over and retain its place on the Calendar.

By consent,

Mr. Reasoner offered

House Concurrent Resolution No. 15, Requesting U. S. Senator S. C. Pomeroy to resign.

Mr. Hutchinson moved to suspend the rules and immediately consider the resolution.

Which motion prevailed.

Mr. D. M. Adams moved that the resolution be made a Special Order for to-morrow at 3 o'clock.

Which motion was lost.

Mr. Spaulding moved to amend House Concurrent Resolution No. 15, as follows:

That a certified copy of this resolution be sent immediately by the Secretary of State to the President of the United States to the President of the Senate and to Senator Pomeroy at Washington.

Which motion prevailed.

The yeas and nays being called for upon the original resolution,

The roll was called with the following result:

Yeas, 64; nays, 8.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Bacon, Baker, Banta, Beaty, Bel-den, Billings, Bishop, Blakely, Brown, Buchan, Childs, Coch-rane, Cooper, Crew, Cross, Davis, Dillard, Ensign, Fields, Fanston, Gillespie, Harvey, Henshaw, Hutchinson, J. W. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lafter, Le-gere, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shoemaker, Simpson, Smith, Snyder, Spaulding, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:



Messrs. D. M. Adams, Allen, Bateman, Bell, Bond, Bow-ers, Bowron, Brenner, Brinkman, Cummings, Curtain, De-Forrest, Eldridge, Forsee, Frazier, Gregg, Green, Guffy, Har-per, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, Langdon, Lowrey, Mapes, Morrison, Nugent, Ross, Scofield, Sexton, Shaw, Stratton and Titus.

On motion,

The House adjourned.

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AFTERNOON SESSION.

2 o'clock P. M

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bate-man, Beaty, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cumminge, Curtain, Davis, Dillard, Eldridge, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, Mc-Dermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, O'Driscoll, Peck, Plummer, Rea-soner, Robinson, Scofield, Searcy, Sellers, Sexton, Shoemaker, Simpson, Smith, Snyder, Spaulding, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

## REPORTS OF STANDING COMMITTEES.

By consent,

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports :

MR. SPEAKER : The Committee on Judiciary, to whom was referred

House Bill No 109, An act to amend section 315 of the code of civil procedure,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, and that the substitute herewith reported be passed.

A. J. BANTA,  
*Chairman.*

Mr. Banta dissenting.

MR. SPEAKER : The Committee on Judiciary, to whom was referred

House Bill No. 104, An act to provide for the appointment of phonographic reporter in the judicial districts,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER : The Committee on Judiciary, to whom was referred

House Bill No. 57, An act to authorize the city of Independence to issue bonds of said city to liquidate their indebtedness,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 120, An act to legalize the official acts of the city of De Soto, a city of third class in Johnson county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 77, An act to amend chapter 105, Laws of 1872, section 2 of an act entitled an act to amend section 4 of chapter 23 of Laws of 1868, and section 1 of chapter 65 of Laws of 1871, concerning private corporations,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 115, An act to authorize the making of deeds of trust to secure the payment of money by the grantor to a third person, with power of sale therein, and to regulate the rights of parties thereunder, and to amend section 399 of civil procedure, and repealing all laws inconsistent therewith,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

A petition of numerous citizens for use of trust deeds,

Have had the same under consideration, and instruct me to report the petition back to the House, the prayer of the same being incorporated in House Bill No. 115.

A. J. BANTA,

*Chairman.*

Mr. Simpson offered the following resolution :

*Resolved,* That a Committee of five be appointed to visit the Agricultural College at Manhattan, and that said committee report to this House the condition and needs of said college.

Which resolution was adopted.

The Speaker announced the names of Messrs. Simpson, Kahler, Bacon, J. M. Hunter and Gillespie, as a committee to visit the Agricultural College.

By consent,

Mr. Cross introduced House Bill No. —.

By consent,

Mr. Dillard introduced House Bill No 162.

Mr. Scofield moved to take up

House Bill No. 11, An act to amend section 2 of chapter 26 of the General Statutes of 1868.

Which motion prevailed.

House Bill No. 11,

Was Referred to the Committee on Judiciary.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Scofield,

The House went into Committee of the Whole for the consideration of General Orders.

Mr. Baker in the chair.

After some time spent therein the Committee arose and, through their Chairman, made the following report:

**MR. SPEAKER:** Your Committee of the Whole House have had under consideration certain bills and direct me to make the following report:

House Bill No. 14, An act to amend section 89, article 9, chapter 23 of the General Statutes of 1868, and section 2 of chapter 105 of the Laws of 1872, concerning private corporations,

And recommend that it be passed over and retain its place upon the Calendar.

House Bill No. 47, An act authorizing Henry H. Hunting, a minor, to exercise the rights of majority,

And recommend that the enacting clause be stricken out.

House Bill No. 33, An act to empower Olin F. Miller to hold and transfer property, and transact business as if he had attained majority,

And recommend that the enacting clause be stricken out.

House Bill No. 37, An act supplemental to an act entitled an act supplemental to an act entitled an act respecting executors and administrators and the settlement of the estates of deceased persons,

And recommend its indefinite postponement.

House Bill No. 53, An act to amend an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases,

And recommend its rejection.

House Bill No. 55, An act to create the office of public administrator in the various counties of the State,

And recommend that the bill be passed over and retain its place on the Calendar.

House Bill No. 26, An act legalizing certain acts of the county commissioners of Jewell county,

And recommend its indefinite postponement.

House Bill No. 31, An act to declare Charles A. B. Jackson, a minor, of lawful age,

And recommend its indefinite postponement.

House Bill No. 58, An act relating to strays and amendatory to section 13 of Chapter 105 of the General Statutes of 1868,

And recommend its indefinite postponement.

House Bill No. 15, An act to allow compensation to councilmen of cities of the first class,

And recommend its passage.

House Bill No. 19, An act to vacate a part of Leavenworth and Fort Riley road, in Leavenworth county,

And recommend its passage.

House Bill No. 44, An act relating to a State road in the counties of Ellis, Rooks and Phillips,

And recommend its passage with amendment, subject to amendment and debate.

House Bill No. 12, An act extending the boundary lines of the city of Columbus, in the county of Cherokee, and defining the same.

And recommend its passage.

House Bill No. 30, An act relating to the assessment and collection of taxes, reducing interest on purchase money of lands and lots sold for taxes from fifty to twenty-five per cent,

And recommend that it be referred to the Committee on Assessment and Taxation.

House Bill No. 48, An act legalizing certain acts of the city council of the city of Wichita,

And recommend its passage.

House Bill No. 38, An act to amend section 1 of chapter 45 of the Laws of 1868, concerning the protection of game,

And recommend its passage with amendment in the sixth line.

House Bill No. 85, An act to authorize certain counties and incorporated cities to aid manufactures,

And recommend that it be ordered to a third reading, subject to amendment and debate.

House Bill No. 61, An act to legalize street railways, and to declare their acts valid,

And recommend its indefinite postponement.

House Bill No. 4, An act to amend an act to authorize municipal corporate authorities to issue bonds for internal improvement, approved March 2, 1872,

And recommend that it be referred to the Committee on Corporations, and to retain its place on the Calendar.

T. H. BAKER,  
*Chairman.*

The report of the Chairman of the Committee of the Whole was agreed to.

Mr. Buchan moved that

House Bill No. 102, An act to cede jurisdiction over the Leavenworth Military Reservation to the United States,

Be referred to the Committee composed of the Leavenworth delegation.

Which motion prevailed.

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INTRODUCTION OF BILLS.

Mr. Hutchinson introduced

House Bill No. 163, An act defining the boundaries of

the ninth judicial district, and to fix the terms of court in the several counties thereof.

Read first time.

On motion the rules were suspended, and the bill was

Read the second time, and

Referred to the Committee on Judiciary.

By consent

House Bill No. 154

Was referred to the Committee on Roads and Highways.

Mr. Dillard moved to suspend the rules so that

House Bills No. 161 and No. 162 could be

Read the second time, and

Referred to their appropriate committees.

Which motion prevailed.

House Bill No. 161, An act to amend an act entitled an act to restrain dram-shops and taverns, and to regulate the sale of intoxicating liquors, approved March 3, 1868.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 162, An act defining the liabilities of railroad companies in certain cases, and requiring railroad companies to fence their roads.

Read the second time, and

On motion

Was referred to the Committee on Judiciary.

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On motion,  
The House adjourned.

A. R. BANKS,  
Chief Clerk.



MORNING SESSION.

WEDNESDAY, FEBRUARY 5, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Baldrige.

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Messrs. Sexton, Shaw, Hodges and Weaver were granted leave of absence until to-morrow.

Mr. Reasoner offered the following resolution:

WHEREAS, A resolution was passed in this House some days

since, inviting the pastors of the city to officiate alternately as Chaplains of the House, and in which resolutions no discriminations were made expressive of preference; and since it has come to our knowledge that at least three regular pastors have not been consulted in the division of labor, taking also into consideration that by our adjournments the break in this alternation is productive of confusion; therefore

*Resolved*, That hereafter the Sergeant-at-Arms is instructed to notify all the pastors of this city in the alphabetical order of their names.

Which resolution was adopted.

The reading of the Journal, was

On motion of Mr. Lanter, dispensed with.

Mr. Bateman arose to a question of privilege.

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PETITIONS PRESENTED.

Mr. Blakeley presented a certificate of Daniel Mitchell, county clerk of Davis county, relating to town site of Ashland,

Was referred with House Bill No. 136,

To the Committee on Judiciary.

Also by Mr. Blakely,

Petition of P. Z. Taylor and others, praying that a law be passed requiring railroads to fence their roads.

Mr. Cross presented

Petition of citizens of Coffey county, praying for a law for the better protection of game, which was

Referred to the Committee on Agriculture and Manufactures.

Mr. Huntington presented

Petition of citizens of School District No. 4, in Greenwood county to issue bonds, which was

Referred to the Committee on Corporations.

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REPORTS OF STANDING COMMITTEES.

**MR. SPEAKER:** The Committee on County Seats and County Lines, to whom was referred

House Bill No. 108, An act amendatory of section 5 of chapter 24 of the General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

E. B. ALLEN,  
*Chairman.*

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 41, An act to amend sections 1 and 2 of chapter 105, in relation to stock, approved March 2, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

M. SMITH,  
*Chairman.*

Mr. Spaulding, Chairman of the Committee on Insurance, submitted the following report:

**MR. SPEAKER:** The Committee on Insurance, to whom was referred

House Bill No. 86, An act to amend an act entitled an act to establish an insurance department in the State of Kansas, and to regulate the companies doing business therein, approved March 1, 1871,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

A. W. SPAULDING,  
*Chairman.*

Mr. Willets, Chairman of the Committee on Education, submitted the following report :

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 99, An act to amend section 48 of the school laws of the State of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the accompanying substitute.

J. F. WILLETS,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 97, An act relating to county superintendents of common schools, and amendatory of section 19 of the school laws, chapter 92 of the General Statutes, as amended,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that the enacting clause be stricken out.

J. T. WILLETS,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 98, An act amendatory to section thirty-four, chapter ninety-two of Statutes of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

J. F. WILLETS,  
*Chairman.*

Mr. Spaulding, Chairman of the Special Committee, submitted the following report:

**MR. SPEAKER:** The Committee composed of the Delegation from Atchison county, to whom was referred

House Bill No. 100, An act to empower the Commissioner of Atchison county to levy a tax to purchase a site and build a court house in the city of Atchison, State of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed with certain amendments.

A. W. SPAULDING,  
*Chairman.*

By consent,

The Committee on Ways and Means was granted further time to report.

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MESSAGE FROM THE SENATE.

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has adopted,

Senate Concurrent Resolution No. 23, Relating to charges of bribery against S. C. Pomeroy, and asking the United States Senate to take advice thereon.

I. H. ISBELL,  
*Assistant Secretary.*

Mr. Childs moved to suspend the rules, and take up Senate Concurrent Resolution No. 23.

Which motion was lost.

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MESSAGE FROM THE SENATE.

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has passed

Senate Concurrent Resolution No. 22, Inviting Hon. J. J. Ingalls to address the Legislature in joint convention.

GEO. C. CROWTHER,  
*Secretary.*

Mr. Spaulding offered the following resolution :

*Resolved*, That the Committee on Militia be requested to examine existing laws, and report to this House by bill or otherwise, their conclusions as to the propriety of a State Commission to hear and audit the claims of the citizens of Kansas for money expended by the purchase of substitutes or otherwise, under the illegal draft of 1864, it being the intent of this House that the work of said commission should in no wise admit the liability of the State, but present in an official and clear statement such a report of indebtedness as our delegation in congress can intelligently and successfully urge the general government to recognize and discharge.

Which resolution was adopted.

Mr. W. J. Hunter offered the following resolution :

*Resolved*, That a committee of five be appointed to visit the State Normal School at Emporia, with instructions to report the condition and progress of the institution.

Which resolution was adopted.

Mr. Kalloch offered the following resolution :

*Resolved*, That a Committee of five be appointed to visit the State University and report its condition and necessities to this House at as early a day as practicable.

Which resolution was adopted.

Mr. Reasoner offered the following resolution :

*Resolved*, That a Committee of three be appointed to visit Wallace county to ascertain the reason for the non-payment of taxes for a number of years, and also the propriety of the county retaining its organization.

The resolution was adopted.

Mr. Titus offered the following resolution :

*Resolved*, That the Committee on Public Institutions, or one member thereof, are hereby instructed to visit the various public institutions of the State, in conjunction with the various special committees appointed by the House to visit said institutions.

Which resolution was adopted.

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RESOLUTIONS CONSIDERED.

House Concurrent Resolution No. 11, To request congress to pass a bill extending the time of payment to settlers on Osage Indian Lands.

The resolution was, on motion, adopted.

House Concurrent Resolution No. 12, Relating to the election of United States Senators by popular vote.

Which resolution was, on motion, lost.

House Concurrent Resolution No. 13, Relating to the boundary line of Kansas and Missouri.

Which resolution was, on motion, adopted.

Senate Concurrent Resolution No. 15, Relating to the cession of the Fort Riley Military Reservation to the State of Kansas.

Which resolution was adopted.

Mr. Hutchinson offered

House Concurrent Resolution No. 16, Amending section 2, article 5, of the constitution.

Mr. Hutchinson offered

House Concurrent Resolution No. 17, Amending section 2, article 2 of the constitution.

Mr. Buchan offered the following resolution :

*Resolved*, That the Secretary of State be instructed to

furnish the Chief Clerk of this House with five dollars worth of postage stamps.

Which resolution was adopted.

The following resolution was offered :

*Resolved*, That a Committee of five be appointed to visit the Asylum of the Deaf and Dumb, inquiring into its necessities and requirements.

Which was adopted.

The Speaker announced the following Committee :

Committee to visit the Normal School at Emporia :

Messrs. W. J. Hunter, Hutchings, De Forrest, Scofield and Plummer.

Committee to visit the State University at Manhattan :

Messrs. Kalloch, Larkin, Buchan, Reasoner and Eldridge.

Committee on the part of the House on Senate Concurrent Resolution No. 23 :

Messrs. Hutchings, Scofield, Cross, Nugent and McDermott.

Committee to visit the Deaf and Dumb Asylum :

Messrs. Bell, David Adams, Titus, McLean and Morgan.

By consent,

Mr. Kalloch offered the following reports :

MR. SPEAKER: The Committee on Railroads to whom was referred

House Bill No. 28, An act to protect travelers on railroads.

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

I. S. KALLOCH,  
Chairman.



MR. SPEAKER: The Committee on Railroads, to whom referred.

House Bill No. 114, An act to repeal all acts authorizing cities, municipal townships and cities to issue bonds to road companies,

Have had the same under consideration, and instruct me report the bill back to the House with the recommendation that it be rejected.

I. S. KALLOCH,  
*Chairman.*

MR. SPEAKER: The Committee on Railroads, to whom referred

House Bill No. 119, An act to provide for the security railroad passengers in the State of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation it be rejected.

I. S. KALLOCH,  
*Chairman.*

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INTRODUCTION OF BILLS.

By Mr. Willets,

House Bill No. 164, An act requiring the education of all healthy children.

Read first time.

By Mr. Willets,

House Bill No. 165, An act requiring a State uniformity school text books.

Read first time.

By Mr. DeForrest,

House Bill No. 166, An act to authorize Horne township,

furnish the Chief Clerk of this House with five dollars worth of postage stamps.

Which resolution was adopted.

The following resolution was offered :

*Resolved*, That a Committee of five be appointed to visit the Asylum of the Deaf and Dumb, inquiring into its necessities and requirements.

Which was adopted.

The Speaker announced the following Committee :

Committee to visit the Normal School at Emporia :

Messrs. W. J. Hunter, Hutchings, De Forrest, Scofield and Plummer.

Committee to visit the State University at Manhattan :

Messrs. Kalloch, Larkin, Buchan, Reasoner and Eldridge.

Committee on the part of the House on Senate Concurrent Resolution No. 23 :

Messrs. Hutchings, Scofield, Cross, Nugent and McDermott.

Committee to visit the Deaf and Dumb Asylum :

Messrs. Bell, David Adams, Titus, McLean and Morgan.

By consent,

Mr. Kalloch offered the following reports :

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Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

I. S. KALLOCH,  
*Chairman.*

**MR. SPEAKER:** The Committee on Railroads, to whom was referred.

House Bill No. 114, An act to repeal all acts authorizing counties, municipal townships and cities to issue bonds to railroad companies,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

I. S. KALLOCH,  
*Chairman.*

**MR. SPEAKER:** The Committee on Railroads, to whom was referred

House Bill No. 119, An act to provide for the security of railroad passengers in the State of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

I. S. KALLOCH,  
*Chairman.*

---

INTRODUCTION OF BILLS.

By Mr. Willets,

House Bill No. 164, An act requiring the education of all healthy children.

Read first time.

By Mr. Willets,

House Bill No. 165, An act requiring a State uniformity of school text books.

Read first time.

By Mr. DeForrest,

House Bill No. 166, An act to authorize Horne township,

Neosho county, to issue bonds for a certain purpose and upon certain conditions therein named.

Read first time.

By Mr. Plummer,

House Bill No. 167, An act to authorize and empower cities of the first class to purchase and acquire real estate.

Read first time.

By Mr. Buchan,

House Bill No. 168, An act to amend section 24 of an act fixing the fees of certain officers and persons therein named, approved March 2, 1868.

Read first time.

By Mr. Simpson,

House Bill No. 169, An act to promote the improvement of real estate by exempting mortgages and other securities from taxation.

Read first time.

By Mr. J. W. Hunter,

House Bill No. 170, An act to repeal an act entitled an act to amend sections 76, 77, 78, 79, 80, 81, 82 and 83, of article 5, concerning county officers,

Read the first time.

By Mr. Sellers,

House Bill No. 171, An act to secure better protection from prairie fires.

Read first time.

By Mr. Blakely,

House Bill No. 172, An act to regulate the terms of court in the eighth judicial district.

Read first time.

By Mr. J. M. Hunter,

House Bill No. 173, An act to legalize the action of Jacob Reader.

Read first time.

By Mr. C. W. Harvey,

House Bill No. 174, An act to amend an act entitled an act for the regulation and support of common schools.

Read first time.

By Mr. Vickers,

House Bill No. 175, An act to amend an act entitled an act to amend an act entitled an act to establish a code of criminal procedure.

Read first time.

By Mr. Robinson,

House Bill No. 176, An act to vacate a part of the El-dorado and Emporia State road.

Read first time.

By Mr. Harper,

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness.

Read first time.

By Mr. Cross,

House Bill No. 178, An act to promote immigration into the State of Kansas.

Read first time.

By Mr. Bowron,

House Bill No. 179, An act to amend section 41 of chap-86 of Statutes of 1869.

Read first time.

By Mr. Lanter,

House Bill No. 180, An act to provide for the assessment and collection of taxes.

Read first time.

By Mr. Veale,

House Bill No. 181, An act to amend section 7 of chapter 74 of Laws of 1871, entitled an act relating to counties and county officers.

Read first time.

By Mr. Motz,

House Bill No. 182, An act to locate a State road from Larned, Pawnee county, to Hays City, Ellis county, Kansas.

Read first time.

On motion of Mr. J. W. Hunter,

The rules were suspended, and the bills read a first time, ordered to be read a second time now.

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BILLS ON SECOND READING.

House Bill No. 164, An act requiring the education of healthy children.

Read the second time, and

Referred to the Committee on Education.

House Bill No. 165, An act requiring a State uniformity of school text books.

Read the second time, and

Referred to the Committee on Education.

House Bill No. 166, An act to authorize Home township, Nemaha county, to issue bonds for a certain purpose and upon certain conditions therein named.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 167, An act to authorize and empower cities of the first class to purchase and acquire real estate.

Read the second time, and

Referred to the Leavenworth Delegation.

House Bill No. 168, An act to amend section 24 of an act fixing the fees of certain officers and persons therein named, approved March 2, 1868.

Read the second time, and

Referred to the Committee on Fees and Salaries.

House Bill No. 169, An act to promote the improvement of real estate by exempting mortgages and other securities from taxation.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 170, An act to repeal an act entitled an act to amend sections 76, 77, 78, 79, 80, 81, 82 and 83, of article 5, concerning county assessors.

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 171, An act to secure better protection from prairie fires.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 172, An act to regulate the terms of court in the eighth judicial district.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 173, An act to legalize the action of Jacob Reeder.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 174, An act to amend an act entitled an act for the regulation and support of common schools.

Read the second time, and

Referred to the Committee on Education.

House Bill No. 175, An act to amend an act entitled an act to amend an act entitled an act to establish a code of criminal procedure.

Read the second time, and

Referred to the Committee on Education.

House Bill No. 176, An act to vacate a part of the Eldorado and Emporia State road.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 178, An act to promote immigration into the State of Kansas.

Read the second time, and

Referred to the Committee on Immigration.

House Bill No. 179, An act to amend section 4 of chapter 86 of Statutes of 1869.

Read second time, and

Referred to the Committee on Judiciary.

House Bill No. 180, An act to provide for the assessment and collection of taxes.

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 181, An act to amend section 7 of chap-



ter 74 of Laws of 1871, entitled an act relating to counties and county officers, approved February 28, 1868.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 182, An act to locate a State road from Larned, Pawnee county, to Hays City, Ellis county, Kansas.

Read the second time, and

Referred to the Committee on Roads and Highways.

By consent,

Mr. Funston offered

House Concurrent Resolution No. 18, Relating to settlers in Allen county,

With petition accompanying the same.

On motion,

The rules were suspended, and

The resolution was read and adopted.

By consent,

Mr. Fields offered the following resolution :

*Resolved*, That a Committee of five be appointed to visit the Leavenworth State Normal School, and report the condition thereof to this House.

Which resolution was adopted.

Mr. Veale offered

House Concurrent Resolution No. 19, Requesting the resignation of United States Senator Caldwell.

On motion,

The rules were suspended, and

The resolution was taken up.

Mr. Fields moved

That it be indefinitely postponed.

Mr. Kalloch moved that the Legislature express its confidence in the ability of the Committee before whom Senator Caldwell is being investigated.

Mr. Plummer moved that the whole subject be laid upon the table.

The yeas and nays being demanded,

The roll was called with the following result:

Yeas, 52; nays, 39.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Belden, Bell, Billings, Bond, Bowers, Bowron, Brinkman, Buchan, Crew, Cross, DeForrest, Dillard, Eldridge, Fields, Frazier, Gillespie, Gregg, Green, Guffy, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, J. W. Hunter, James, Kalloch, Lane, Langdon, Larkin, Legere, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Morriam, Motz, Plummer, Robinson, Ross, Searcy, Sellers, Sexton, Shaw, Smith, Spaulding, Tough, Turner, Ward, Weaver, Wells, Willots and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. D. M. Adams, Bacon, Bateman, Beaty, Bishop, Blakely, Brenner, Brown, Childs, Cochrane, Cooper, Cummings, Curtain, Davis, Ensign, Forsee, Fanston, Harper, Hoesman, Jeffrey, Kahler, Lanter, Lowrey, Lowe, McLean, Nugent, O'Driscoll, Peck, Reasoner, Scofield, Shoemaker, Simpson, Snyder, Stratton, Titus, Veale, Vickers and Wakefield.

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Mr. Kalloch moved that when the House adjourn tomorrow, that it be till Monday at 2 o'clock.

The Speaker announced the following Committee to visit the State Normal School at Leavenworth:

Messrs. Fields, Crew, McDonald, Bishop and O'Driscoll.

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On motion,

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

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AFTERNOON SESSION.

2 o'clock P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Bantz, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hungerford, Hutchings, Hutchinson, Huntington, M. J. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Dris-

coll, Peck, Plummer, Reasoner, Robinson, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

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BILLS INTRODUCED.

By consent,

Mr. Dillard introduced

House Bill No. 183, An act in relation to the abandonment and desertion of families.

Read first time.

By Mr. Larkin,

House Bill No. 184, An act to vacate State roads in Atchison county.

Read first time.

By Mr. Legere,

House Bill No. 185, An act to distribute the railroad tax for building said roads equally as per population of said counties and school districts.

By Mr. Legere,

Read first time.

House Bill No. 186, An act to provide for bridge building.

Read first time.

On motion,

The rules were suspended, and

The bills were read a second time, and

Referred to their appropriate committees.

House Bill No. 183, An act in relation to the abandonment and desertion of families.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 184, An act to vacate State roads in Atchison.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 185, An act to distribute the railroad tax in counties for building said road equally as per population of said counties and school districts.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 186, An act to provide for bridge building.

Read the second time, and

Referred to the Committee on Judiciary.

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 12, 15, 19, 38, 44 and 48,

Have had the same under consideration, and instruct me to report the bill back to the House correctly engrossed.

JEFFREY,  
*Chairman.*

---

BILLS ON THIRD READING.

Substitute for House Bill No. 3, An act to enable certain minors to exercise the right of majority,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 82; nays, 5.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely Bond, Bowers, Bowron, Brenner, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lantor, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Plummer, Reasoner, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Wells and Mr. Speaker Kellogg.

The following gentlemen voted in the negative:

Messrs. Brown, J. M. Hunter, Peck, Robinson and Willets.

Gentlemen absent or not voting were:

Messrs. Brinkman, Green, Hutchings, Morrison, Ross, Scofield and Weaver.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Mr. Bond, Chairman of the Special Committee, by consent, submitted the following report:

MR. SPEAKER: The Special Committee, to whom was referred

House Bill No. 167, An act to authorize and empower cities of the first class to purchase and acquire real estate,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

W. H. BOND,  
*Chairman.*

---

BILLS ON THIRD READING.

House Bill No. 15, An act to allow compensation to councilmen of cities of the first class,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 78; nays, 3.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Belden, Bell, Blakely, Bond, Bowers, Bowron, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Shoemaker, Simpson, Smith, Snyder, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Wells, Willetts and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. Beaty, J. M. Hunter and Nugent.

Gentlemen absent or not voting were :

Messrs. Billings, Bishop, Brenner, Brinkman, Brown, Dillard, Gregg, Green, Harvey, Kalloch, Morrison, Ross, Scofield, Sellers, Sexton, Shaw, Spaulding, Stratton and Weaver.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 19, An act to vacate a part of the Leavenworth and Fort Riley road in Leavenworth,

Was read the third time,

And the question being : Shall the bill pass ?

The roll was called with the following result :

Yeas, 81 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Blakely, Bond, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Kahler, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Maper, McDermott, McDonald, McLean, G. M. Miller, J. W. Miller, Morgan, Motz Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy,



Shoemaker, Simpson, Smith, Snyder, Tongh, Turner, Veale, Vickerr, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. Billings, Bishop, Brenner, Brinkman, Gregg, Green, James, Kalloch, Morrison, Ross, Scofield, Sellers, Sexton, Shaw, Spaulding Stratton, Titus and Weaver.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 44, An act relating to the location of a State road through the counties of Ellis, Rooks and Phillips,

Was read the third time.

By consent,

Mr. Motz moved to amend by saying in the second line 80 feet instead of 66 feet.

Which motion prevailed.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 75 ; nays, 4.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Beatty, Belden, Bell, Blakely, Bond, Bowers, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Green, Gregg, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, Kahler, Kalloch, Lane, Langden,

Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Mots, Nugent, O'Driscoil, Peck, Plummer, Reasoner, Robinson, Searcy, Shoemaker, Simpson, Smith, Snyder, Tough, Turner, Veale, Vickers, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Harper, James, Jeffrey and Mapes.

Gentlemen absent or not voting were:

Messrs. Bacon, Billings, Bishop, Brenner, Brinkman, Curtain, Dillard, Guffy, Hutchinson, Lanter, Morrison, Ross, Scofield Sellers, Sexton, Shaw, Spaulding, Stratton, Titus and Weaver.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 12, An act extending the boundary lines of the city of Columbus, in the county of Cherokee, and defining the same,

Was read the third time, and

On motion,

The rules were suspended, and

Mr. Harvey moved to amend.

Which motion prevailed.

The question being: Shall the bill pass as amended?

The yeas and nays were had with the following result:

Yeas, 68; nays, 3.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Bond, Bowers, Brown, Cochrane,

Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Eldridge, Ensign, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, G. M. Miller, Morgan, Motz, O'Driscoll, Plummer, Reasoner, Robinson, Searcy, Sellers, Shoemaker, Simpson, Snyder, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the affirmative were:

Messrs. Bacon, Blakely and Kahler.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Billings, Bowron, Brenner, Brinkman, Buchan, Childs, Dillard, Fields, Gregg, Green, Hutchinson, Lane, Lanter, Mapes, J. W. Miller, Morrison, Nugent, Peck, Ross, Scofield, Sexton, Shaw, Smith, Spaulding, Stratton and Weaver.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 48, An act legalizing certain acts of the city council of the city of Wichita,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 67; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beatty, Belden, Bell, Blakely, Bond, Bowers, Brown, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, Davis, DeForest, Ensign, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Lowrey, Lowe, Mapes, McDonald, McLean, G. M. Miller, Morgan, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Simpson, Stratton, Titus, Tough, Turner, Vickers, Ward, Wakefield, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Billings, Bishop, Bowron, Brenner, Brinkman, Buchan, Crew, Dillard, Eldridge, Fields, Gregg, Green, Hoesman, Langdon, Larkin, Lanter, Legere, McDermott, J. W. Miller, Morrison, Ross, Scofield, Sexton, Shaw, Shoemaker, Smith, Snyder, Spaulding, Veale, Vickers, Weaver and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 38, An act to amend section 1 of chapter 45 of the Laws of 1868, concerning the protection of game,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 71; nays, 5.

The following gentlemen voted in the affirmative :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Bell, Bishop, Bond, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Scofield, Searcy, Shoemaker, Simpson, Spaulding, Titus, Tough, Turner, Ward, Wakefield, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. Belden, Lowe, McLean, Vickers and Wells.

Gentlemen absent or not voting were :

Messrs. Billings, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Curtain, Dillard, Eldridge, Gregg, Green, Hungerford, Morrison, Ross, Sellers, Sexton, Shaw, Smith, Snyder, Stratton, Veale and Weaver.

And so a constitutional majority having voted in favor of the passage of the bill;

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 85, An act to authorize certain counties and incorporated cities to aid manufactures.

Was read the third time.

By consent,

Mr. Hutchings moved to amend.

By inserting the words or schools between the words State and purposes in the fourth line.

By consent,

Mr. D. M. Adams moved to insert the word ten instead of fifteen, between the words exceeding and years in the fourth line.

The question being on the amendment,

The motion prevailed.

The question recurring upon the amendment to the amendment,

The motion prevailed.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 75; nays, 14.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Beaty, Belden, Bell, Billings, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cooper, Crew, Cross, Curtain, Dillard, Eldridge, Fields, Forsee, Frazier, Gillespie, Harper, Harvey, Hodges, Hungerford, Hutchings, Hutchison, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morgan, Motz, Nugent, O'Driscoll, Plummer, Reasoner, Ross, Searcy, Sellers, Sexton, Shoemaker, Simpson, Snyder, Spaulding, Stratton, Titus, Turner, Wakefield and Mr. Speaker Kellogg.

The following gentlemen voted in the negative:

Messrs. Cummings, Cochrane, DeFerrest, Funston, Guffy, Henshaw, Huntington, Legere, G. M. Miller, Robinson, Smith, Tough, Vickers, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. Bacon, Bateman, Bishop, Brinkman, Davis, Ensign, Gregg, Green, Hoelman, J. M. Hunter, Lanter, Morrison, Peck, Scofield, Shaw, Veale, Ward and Weaver.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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MORNING SESSION.

THURSDAY, FEBRUARY 6, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Bacon, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Scofield, Searcy, Sellers, Sexton, Shaw, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Blakesly.

Mr. Hutchings moved to take up

House Concurrent Resolution No. 10, Relating to the investigation of charges of corruption against members of the Legislature.

Which motion prevailed.

Mr. Hutchings moved that the House now concur in the Senate amendments.

Mr. Cochrane moved that the House concur in the Senate amendments.

The question being to concur in the Senate amendments,

The yeas and nays were had with the following result:

Yeas, 36; nays, 52.

The following gentlemen voted in the affirmative:

Messrs. Allen, Bateman, Beaty, Bishop, Bond, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Dillard, Funston, Harvey, J. M. Hunter, Jeffrey, Lane, Larkin, Lanter, Lowrey, McLean, J. W. Miller, Nugent, O'Driscoll, Peck, Plummer, Searcy, Sexton, Smith, Snyder, Spaulding, Stratton, Tough, Vickers, Ward and Wakefield.

The following named gentlemen voted in the negative:

Messrs. D. M. Adams, Bacon, Baker, Banta, Belden, Bell, Billings, Blakely, Bowers, Bowron, Brinkman, Cummings, Davis, DeForrest, Eldridge, Ensign, Fields, Forsée, Frazier, Gillespie, Guffy, Harper, Henshaw, Hoesman, Hungerford, Hutchings, Hutchison, Huntington, J. M. Hunter, James, Kahler, Kalloch, Langdon, Legere, Lowe, Mapes, McDermott, McDonald, G. M. Miller, Morgan, Motz, Reasoner, Robinson, Scofield, Shoemaker, Simpson, Titus, Turner, Veale, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. David Adams, Gregg, Green, Hodges, J. W. Hunter, Ross, Sellers and Shaw.



The resolution was lost.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring :*

That the Congress of the United States be requested to pass the bill to extend the time in which settlers on the Osage Indian lands are required to make proof and payment for their lands to the first day of June, 1872, and which bill is now before the United States Senate.

That our Senators and Representatives in Congress be and they are hereby requested to favor the immediate passage of said bill.

That the Secretary of State be and he is hereby directed to forward to each of our Senators and our Representatives a copy of the above resolution.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the adoption of

House Concurrent Resolution No. 14, Relating to the investigation of the late Auditor of State.

Committee on the part of the Senate :

Mr. Ely,

House Concurrent Resolution No. 10, Relating to investigation of charges of corruption against members of the Legislature, with amendments thereon noted.

GEO. C. CROWTHER,

*Secretary.*

*Resolved by the House of Representatives, the Senate concurring therein :*

That a Committee of two on the part of the House and one on the part of the Senate be appointed to investigate the charge against the late Auditor of State, A. Thoman, of

having registered in his office some \$200,000 of bogus bonds, with power to send for persons and papers, administer oaths, and to appoint such necessary officers as they may require, to make a complete examination of said case.

By consent,

House took up

House Concurrent Resolution No. 27,

And, on motion, it was adopted.

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MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 26, Authorizing the Senatorial Investigating Committee to appoint a Clerk,

In which your immediate concurrence is respectfully desired.

GEO. C. CROWTHER,  
*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the adoption of

House Concurrent Resolution No. 11, To request Congress to pass a bill extending the time of payment to settlers on Osage Indian Lands.

And has adopted

Senate Concurrent Resolution No. 27, Relating to a short hand reporter,

In which your immediate concurrence is respectfully desired.

GEO. C. CROWTHER,  
*Secretary.*

By consent,

Mr. Kalloch offered

House Concurrent Resolution No. 20, Instructing the Committee investigating the charges against S. C. Pomeroy, to take charge of the money deposited in the hands of the Secretary of the Senate, and to ascertain to whom it belongs.

Which was adopted.

Mr. Reasoner offered the following resolution :

WHEREAS, The Sergeant-at-Arms is now engaged in summoning witnesses to attend several important cases of investigation, this work requiring his almost entire absence for several weeks; therefore

*Resolved*, That the Sergeant-at-Arms be empowered to employ such assistance as he shall need during the performance of these extra duties.

The Speaker announced the following substituted Committee for Cities of the Second Class:

Messrs. Spaulding, Crew, Robinson, McDonald, Buchan, Miller and Bell.

Senate Concurrent Resolution No. 7, Memorializing Congress for the relief of settlers on the Neutral Lands,

Was taken up, and was,

On motion, adopted.

Mr. D. W. Acker was appointed to act as Assistant Sergeant-at-Arms.

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On motion,

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

## AFTERNOON SESSION.

2 O'CLOCK P. M. .

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. David Adams, Allen, Bacon, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bowers, Brown, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey- Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Peck, O'Driscoll, Plummer, Reasoner, Robinson, Scofield, Searcy, Sexton, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

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Mr. Reasoner moved to increase the Committee to visit the Penitentiary to five.

Which motion prevailed.

Mr. Morgan moved to increase the Committee on Texas Cattle, from five to seven.

Which motion prevailed.

Messrs. Morgan and Snyder were added to the Committee.

Mr. Bell moved to increase the Committee on Deaf and Dumb Asylum to seven.

Which motion prevailed.

Messrs. James and Langdon were added to the Committee.

Mr. J. W. Hunter was excused on account of sickness.

Mr. Bowers moved to increase the Committee on Insurance to seven.

Which motion prevailed.

Mr. Bowers was appointed.

Messrs. David Adams and Legere were appointed on Committee to visit Wallace county to inquire into the state of the taxes of said county.

Mr. Willets offered the following resolution :

*Resolved*, That when the House adjourn it adjourn until Monday at 2 o'clock, P. M.

Which resolution was adopted.

On motion,

The Committee on Blind Asylum was increased to seven, Messrs. Banta and Vickers.

House Concurrent Resolution No. 9.

*Resolved*, That a Committee consisting of three Senators and five Representatives be appointed to visit the State Insane Asylum at Osawatomie, to inquire into its condition, its management and abuses, if any, also, as to whether the present site and situation will warrant further appropriation for buildings, etc.,

Was taken up, and

The Senate amendment was concurred in.

Mr. J. W. Hunter offered the following resolution :

*Resolved*, That the Committee appointed to visit the Agricultural College be increased to nine members, and that the following gentlemen be added to said Committee.

Messrs. Jeffreys, McDermott, Allen and Brenner.

Which resolution was adopted.

Mr. Eldridge offered the following resolution :

*Resolved*, That the memorial setting forth the request and petition of some fifteen hundred persons asking for a law for deeds of trust, be printed and laid on the desks of members in connection with House Bill No. 115.

Which resolution was adopted.

Mr. J. M. Willets offered the following resolution :

*Resolved*, That the Committees on Assessment and Taxation and Roads and Highways be allowed a clerk, said clerk to do the work of both Committees.

Which resolution was adopted.

Mr. Fields offered

House Concurrent Resolution No. 21, Relating to printing 1,000 copies of the Report of the Superintendent of Public Instruction.

Mr. Eldridge, Chairman of the Committee on Corporations, submitted the following reports:

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 63, An act to amend chapter 23 of the Laws of Kansas, approved Feb. 29, 1868, concerning private corporations,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

T. B. ELDRIDGE,  
Chairman.

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 64, An act concerning private corporations,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

T. B. ELDRIDGE,  
*Chairman.*

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

T. B. ELDRIDGE,  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 62, An act in relation to street and city railroads,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

T. B. ELDRIDGE,  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 118, An act authorizing school district No. 1 of Barton county to issue additional bonds,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

T. B. ELDRIDGE,  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 117, An act authorizing the county com-

missioners of Barton county to issue and sell the bonds of the county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed with certain amendments therein named.

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 134, An act for the encouragement and protection of private capital,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

T. B. ELDRIDGE,  
*Chairman.*

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following reports :

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 113, An act to amend sections 5, 13, 14, 29 and 30, of chapter 105, in relation to strays,

Have had the same under consideration, and instruct



me to report the bill back to the House with the recommendation that it pass as amended.

Strike out sections 3 and 5.

In section 6 strike out the word "fourteen" and the words "and thirty."

REUBEN SMITH,  
*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 13, An act to protect and regulate the irrigation of lands,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

R. SMITH,  
*Chairman.*

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports :

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred,

House Bill No. 182, An act to locate a State road from Larned, Pawnee county, to Hays City, Ellis county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass amended as follows :

In section 1, first line, to read sixty feet wide, instead of one hundred feet wide.

J. BRENNER,  
*Chairman.*

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred

House Bill No. 154, An act authorizing the board of county commissioners of Jefferson county, State of Kansas, to

issue and sell the bonds of said county for the purpose of completing bridges,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

J. BRENNER,

*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 25, An act to declare certain section lines public highways,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass.

J. BRENNER,

*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 176, An act to vacate a part of the Eldorado and Emporia State road,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,

*Chairman.*

Mr. Hungerford, Chairman of the Committee on Fees and Salaries, submitted the following reports:

MR. SPEAKER: The Committee on Fees and Salaries, to whom was referred

House Bill No. 127, An act to amend chapter 39 of the General Statutes of 1868, entitled an act fixing the fees of certain officers and persons therein named,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

HUNGERFORD,

*Chairman.*

MR. SPEAKER: The Committee on Fees and Salaries, to whom was referred

House Bill No. 168, An act to amend section 24 of an act fixing the fees of certain officers and persons therein named, approved March 2, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

HUNGERFORD,

*Chairman.*

Mr. Banta, Chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 124, An act to amend an act entitled an act respecting notaries public, being chapter 71, General Statutes of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, subject-matter being contained in substitute herewith reported.

A. J. BANTA.

*Chairman.*

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COMMUNICATIONS FROM STATE OFFICERS.

The following communication was received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, February 6, 1873. }

*To the House of Representatives :*

I herewith transmit for the use of the Legislature, the report of the board of commissioners for the improvement of the State House grounds.

THOMAS A. OSBORN,  
Governor.

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REPORT OF COMMISSIONERS FOR IMPROVEMENT OF STATE HOUSE  
GROUNDS.

*To his Excellency the Governor, and the Honorable Legislature  
of Kansas :*

GENTLEMEN: The Board of Commissioners for the improvement of the State House grounds, respectfully submit herewith a report of their operations during the year just closed. The appropriation made at the last session of the Legislature for improvement of the grounds has been expended in improving the north and west sides of the grounds, being an extension of the work done the preceding season. The work done consists as follows :

1. In seeding that portion of the grounds graded and prepared in 1871, amounting to about four acres.

2. In building a new board fence on the street grade and four feet inside of the street line, on the east, south and west sides of the south half of the grounds, and a rough board fence from the northeast corner of the State House to the east side of the grounds, and from the southwest corner of the State House to the south line of the grounds.

3. In grading, plowing, subsoil plowing, manuring, covering with top soil to a depth of one foot, and in preparing for seeding the remaining portion of the north and the west of the grounds to include the drives and walks from the entrance at the southwest corner of the grounds to the State House, amounting in extent to about six and one-half (6½)

acres of ground, and in amount to the moving of fourteen thousand (14,000) cubic yards of earth.

4. In plowing, subsoil plowing, manuring and filling with top soil to a depth of eight (8) inches, and a width of twenty-five (25) feet the sidewalk on the east side of the south half of the grounds which had been graded by the city of Tepeka.

5. In forming the drives and walks, and covering them with waste lime from the gas works, and in seeding with grass seed said graded grounds.

6. In building catch-water basins and sewers, to drain the main drain on the north side of the grounds, and in planting evergreen and shade trees in and about the grounds.

The early seeding has done remarkably well, having been mown three times, and formed an excellent sward. The late seeding has suffered from the drought in June, and been smothered by the crab grass. It will require to be seeded again.

The early planted trees have generally done well. The experience of the past season would indicate that the grounds should lie fallow one year after being graded.

We would respectfully recommend that an appropriation of four thousand (\$4,000) dollars be made for the further improvement of the grounds, said appropriation to be expended in again seeding such portions of the graded grounds as have not taken in seeding; the sidewalks on the north and east sides of the grounds, planting trees, grading all of the south side of the grounds west of the east line of the State House; in macadamizing the drives and covering with cinders the walks now formed, and in laying flagging sidewalk eight (8) feet wide on the east side of the grounds between Eighth avenue and Ninth street.

Statement of receipts by the board for the improvement of the State House grounds from March 7, 1872, until January 1, 1873, and detailed statement of the cost of the various operations conducted by the board during that time:

## RECEIPTS.

Balance cash on hand January 9th.....	\$ 17 77
Appropriation State Scrip.....	5,000 00
Sale of stone in the wall .....	180 18
Back charges freight on trees.....	2 00
<hr/>	
Total.....	\$5,199 87

## EXPENDITURES.

Trees.....	\$553 78
Grading grounds.....	2,700 00
Setting sidewalks.....	58 80
Hauling manure.....	143 25
Grass seed for lawns.....	30 65
Lumber and wire for staking trees.....	46 31
Building fence.....	625 00
Lawn mower and tools.....	51 05
Advertising for proposals.....	11 00
Labor by the day, planting trees, forming walks and drives, seeding, etc.....	585 99
Hauling water for trees and mortar.....	14 25
Lime for catch water basin and sewer.....	3 75
Discount State scrip .....	34 92
Superintendent salary, four quarters.....	300 00
<hr/>	
Total.....	\$5,158 75
Cash on hand .....	41 12
<hr/>	
	\$5,199 87

E. T. CARR, *President.*JOHN GUTHRIE, *Secretary.*W. TWEEDDALE, *Supt. and Eng.*

January 1, 1873.

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, February 4, 1873. }

*To the House of Representatives :*

I have approved House Bill No. 84, entitled an act making appropriation for the Legislative Department.

THOMAS A. OSBORN,  
*Governor.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has adopted

Senate Concurrent Resolution No. 25, Relating to right-of-way for a railroad up the Arkansas valley from the Mississippi to the coast.

House Concurrent Resolution No 6, Asking Congress to amend section 3, article 1 of the Constitution of the United States, so as to make Senators elective by the people,

And concurred in Senate amendments to

House Concurrent Resolution No. 9, Appointing a Committee to visit the Insane Asylum,

With amendments.

Committee on part of the Senate :

Messrs. Butler, Morrill and Simpson.

Committee to visit the State Penitentiary :

Messrs. Rogers, Price and Martindale.

Mr. Lanter moved to adopt

Senate Concurrent Resolution No. 25, Relating to granting a right of way up the Arkansas valley for a railroad.

The motion prevailed.

The resolution was adopted.

House Concurrent resolution :

*To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled :*

Your memorialists, the members of the Legislature of the State of Kansas, would respectfully represent to your honorable body that you amend section 3, article 1 of the Constitution of the United States so as to make our Senators elective by the people.

*Resolved*, That our Senators and members in Congress be and are hereby requested to use their influence to procure said amendment.

Senate Bill No. 3, An act authorizing Albert A. Brown, a minor, to exercise the rights of majority,

Was read a first time, and

Laid over under the rules.

Senate Concurrent Resolution No. 16, In relation to the printing of the Governor's Message.

Was read, and on motion, adopted.

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MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

Senate Bill No. 3, An act authorizing Albert A. Brown, a minor, to exercise the rights of majority.

And has adopted

The report of the Committee of Conference on

Senate Concurrent Resolution No. 16, Relating to printing the Governor's message,

A copy of which is herewith transmitted.

GEO. C. CROWTHER,  
*Secretary.*



**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has adopted

House Concurrent Resolution No. 15, Requesting S. C. Pomeroy to resign his position as United States Senator,

With an amendment thereon noted.

In which your concurrence is respectfully desired.

GEO. C. CROWTHER,  
*Secretary.*

---

House Concurrent Resolution No. 15, Requesting S. C. Pomeroy to resign his position as United States Senator,

With certain amendments,

Was then taken up.

Mr. Kalloch moved to concur in the first "whereas," and to non-concur in the second "whereas."

The motion to concur in the first "whereas" prevailed.

By consent,

Mr. Kalloch withdrew the motion to non-concur in the second "whereas."

Mr. Spaulding moved to amend by inserting:

"It was shown by the declaration of Senator York," to the second whereas.

The yeas and nays were had with the following result:

Yeas, 37; nays, 51.

The following gentlemen voted in the affirmative:

Messrs. Bateman, Beaty, Bishop, Blakely, Bond, Brenner, Brown, Buchan, Childs, Cochrane, Crew, Cross, Davis, Dillard, Fanston, Guffy, Harper, Harvey, Lane, Langdon, Larkin, Lanter, Lowrey, McDonald, McLean, J. W. Miller, Nugent, O'Driscoll, Peck, Plummer, Smith, Snyder, Spaulding, Stratton, Tough, Vickers and Wakefield.

Gentlemen voting in the negative were :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Belden, Bell, Billings, Bowers, Bowron, Cummings, DeForrest, Eldridge, Ensign, Fields, Forsee, Frazier, Gillespie, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Legere, Lowe, Mapes, McDermott, G. M. Miller, Morgan, Motz, Reasoner, Robinson, Scofield, Searcy, Sexton, Shoemaker, Simpson, Titus, Turner, Veale, Ward, Weaver, Wells and Willets.

Gentlemen absent and not voting were :

Messrs. Brinkman, Cooper, Curtain, Gregg, Green, Hodges, J. M. Hunter, J. W. Hunter, James, Kalloch, Jeffrey, Kahler, Legere, Morrison, Ross, Sellers, Shaw and Mr. Speaker Kellogg.

And so a majority not having voted in favor of the amendment,

The motion to amend was lost.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate recedes from its amendments to

House Concurrent Resolution No. 10, Relating to investigation of charges of corruption against members of the Legislature.

GEO. C. CROWTHER,  
*Secretary.*

---

WHEREAS, It has been publicly asserted on the floor of the House that members of the Legislature have been guilty of bribery and corruption in the recent election of United States Senator; therefore,

*Resolved by the House, the Senate concurring :*

That the Committee of Investigation be instructed to make this accusation the subject of immediate and thorough investigation ; that the accusers be required to make their charges direct and specific, to the end that those implicated may have opportunity to answer, and the innocent be vindicated.

The second whereas, as amended, was adopted.

Mr. Hutchings arose to a question of privilege.

Mr. D. M. Adams offered the following resolution :

*Be it resolved by the House of Representatives, the Senate concurring :*

That we have entire confidence in the Committee on Privileges and Elections in the Senate of the United States, investigating serious charges against Alexander Caldwell, United States Senator from this State, and that we believe justice will be done by them to Mr. Caldwell and the State of Kansas, without expressing any opinion as to his guilt or innocence of the crime charged.

Mr. Buchan moved to lay the resolution on the table.

Which motion was lost.

The resolution was adopted.

Mr. Weaver was appointed in place of Mr. Plummer on the Committee to visit the State Normal School at Emporia.

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On motion,

The House adjourned until 2 o'clock P. M., on Monday next.

A. R. BANKS,  
*Chief Clerk.*

## AFTERNOON SESSION.

MONDAY, February 10, 1873, 2 o'clock P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Bell, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Frazier, Funston, Gregg, Harper, Harvey, Henshaw, Heesman, Hungerford, Hutchings, Hutchinson, Huntington, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Lanter, Legere, Lowrey, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Ross, Seofield, Sellers, Sexton, Shaw, Shoemaker, Snyder, Spaulding, Stratton, Titus, Veale, Ward, Weaver, and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Mitchell.

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Mr. Cochrane moved that the reading of the Journal be dispensed with.

Mr. D. W. Acker was sworn as follows:

I, D. W. Acker, do solmenly swear that I will faithfully perform the duties of Assistant Sergeant-at-Arms of the House of Representatives of the State of Kansas, so help me God.

DELOS W. ACKER.

Sworn by Chief Justice I. A. Kingman.

Mr. Bond moved to suspend the rules and put

House Bill No. 167

On its third reading.

Which motion prevailed.

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PETITIONS PRESENTED.

Mr. McLean presented

Petition of remonstrance of citizens of Marion county against any proposed change in the county lines of said county.

Which was referred to the Committee on County Seats County Lines.

Petition of A. Homan and twenty others, in relation to the survey of a certain township in Marion county.

Petition read, and

Referred to the Committee on Federal Relations.

Mr. Banta presented

Petition of G. H. Holenberg and others, requesting semi-annual payment of taxes.

Petition read, and

Referred to the Committee on Assessment and Taxation.

Petition of J. E. Carlis, and 157 others, asking for revision of the code with reference to assessment and taxation.

Petition read, and

Referred to the Committee on Assessment and Taxation.

Mr. Hutchings presented

Petition of citizens of Neosho county, praying for a liquor law similar to the Ohio and Illinois liquor law.

Petition read, and

Referred to the Committee on Judiciary.

Mr. Davis presented

Petition asking for fish ways in mill dams.

Petition read, and

Referred to the Committee on Agriculture.

Mr. Kahler presented

Petition of John G. Stone and others, in reference to schools.

Petition read, and

Referred to the Committee on Education.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 28, Relating to a Committee to visit the State Agricultural College.

Committee on part of the Senate:

Messrs. Wilson, Martin and Blair.

And has adopted

Senate Concurrent Resolution No. 30, Relating to a Committee to visit the Normal School at Emporia.

Committee on the part of the Senate:

Messrs. Martindale, Simons and J. C. Wilson.

And has adopted

Senate Concurrent Resolution No. 31, Appointing a Committee to visit the State University.

Committee on the part of the Senate:

Messrs. Murdock, St. John and Walker.

And has adopted

Senate Concurrent Resolution No. 29, Relating to compensation of committees visiting State institutions.

GEO. C. CROWTHER,  
*Secretary.*

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RESOLUTIONS CONSIDERED.

Senate Concurrent Resolution No. 28, Providing for a Committee of two upon the part of the Senate, and three from the House, to visit the State Agricultural College,

Was read, and

Mr. Kahler moved to insert nine from the House.

The motion prevailed, and

The resolution was concurred in.

Senate Concurrent Resolution No. 30, Relating to Committee to visit the Normal School at Emporia,

Was read, and

On motion of Mr. Veale,

The House did non-concur.

Senate Concurrent Resolution No. 29, Providing that the expenses allowed of visiting committees be only their actual and necessary outlay,

Was read and adopted.

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COMMUNICATION.

The following communication was received from W. H. Smallwood, Recorder Topeka Commandery, No. 5, K. T.

HON. JOSIAH KELLOGG, *Speaker of the House of Representatives:*

SIR: Topeka Commandery, No. 5, Knight Templars,

will give a Grand Ball and Banquet in this city on Tuesday evening the 11th inst. A cordial invitation to attend the same is extended to all the members of the Legislature.

Tickets can be purchased of any of the Sir Knights in the city.

Respectfully,

W. H. SMALLWOOD,

*Recorder.*

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RESOLUTIONS CONSIDERED.

Mr. Sexton offered the following resolution :

WHEREAS, It appears there are certain claims outstanding against the State, termed " Price Raid Claims ; " and,

WHEREAS, There are two or more distinct classes of these claims, some of which have neither been fully recognized by the general government, and a sum sufficient has not yet been provided for their payment ; therefore,

*Be it resolved*, That the Committee on Claims be and are hereby instructed to report to what extent the State is liable on the respective classes, and what action is necessary on the part of this House to secure a fair and final adjustment of the whole matter.

Which resolution was adopted.

Mr. Bond offered the following resolution :

*Be it resolved*, That the Committee which has been appointed to investigate the charges of bribery against S. C. Pomeroy be and is hereby requested to summon each and every member of this House before them to testify as to what they may know pertaining to the case.

Mr. D. M. Adams moved to lay the resolution upon the table.

Which motion prevailed.



Mr. D. M. Adams offered the following resolution :

*Resolved*, That the Auditor of State furnish this House a list of county treasurers who are in arrears for money arising from the sale of school lands, and the amount due the permanent school fund from each delinquent treasurer.

Which resolution was adopted.

Mr. David Adams offered the following resolution :

*Resolved*, That the Postmaster of this House be and is hereby authorized and empowered to employ a clerk to carry the mails to and from this House. *Provided*, Said clerk can be hired at a sum not exceeing one dollar per day.

Mr. Veale moved to lay the resolution upon the table.

Which motion prevailed.

By consent,

House Concurrent Resolution No. 17

Was taken up.

Mr. Hutchinson moved to refer it to the Judiciary Committee and have the same printed.

Which motion prevailed.

House Concurrent Resolution No. 21

Was taken up and read.

Which, on motion, was lost.

Mr. Motz offered

House Concurrent Resolution No. 22, Relating to restitution of bribe money by members of the Legislature.

Mr. Metz moved to suspend the rules and consider the same now.

The motion prevailed.

On motion,

The resolution was adopted.

Mr. Harvey offered

House Concurrent Resolution No. 23, Concerning railroads in the Indian Territory.

Mr. McDermott offered the following resolution:

*Resolved*, That the Committee on Congressional Apportionment be and they are hereby instructed to report at an early day, a bill to divide the State into three congressional districts, as nearly equal as possible in population, and shall take the vote cast at the election held on the fifth day of November, 1872, as the basis of division.

Which resolution was adopted.

Mr. Brenner offered the following resolution:

*Resolved*, That the Attorney General of this State be requested to give, at his earliest convenience, his opinion of the constitutionality of chapters 105 and 193 of Statutes of Kansas, empowering boards of county commissioners, directing by order what animals shall not run at large, and whether it would be constitutional to permit them to apply to some townships and not others in their respective counties.

Mr. Hutchinson moved to lay the resolution on the table.

Which motion prevailed.

Senate Concurrent Resolution No. 23, Relating to charges of bribery against S. C. Pomeroy, and asking the United States Senate to take action thereon,

Was then taken up.

Mr. Spaulding moved to refer it to a Special Committee of three.

Which motion prevailed.

Messrs. Spaulding, Buchan and Kalloch were appointed.

House Concurrent Resolution No. 16, Amending section 2, article 5 of the constitution,

Was then taken up and read.

Mr. Veale moved to lay the resolution over under the rules.

Which motion prevailed.

By consent,

Mr. Brenner presented

Petition of forty-seven voters, praying for an amendment to the herd law.

Referred to the Committee on Agriculture and Manufactures.

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INTRODUCTION OF BILLS.

The following bills were introduced and read the first time.

By Mr. Kalloch,

House Bill No. 187, An act to legalize the issue of certain school bonds issued by a vote of the people in school district No. 16, Douglas county, Kansas.

Read first time.

By Mr. Kalloch,

House Bill No. 188, An act to encourage the growth of forest trees.

Read first time.

By Mr. Baker,

House Bill No. 189, An act entitled an act to vacate the public park in the town of Douglas, Butler county, Kansas.

Read first time.

By Mr. Davis,

House Bill No. 190, An act to provide fishways in dams.

Read first time.

By Mr. Harvey,

House Bill No. 191, An act entitled an act in relation to roads and highways.

Read first time.

By Mr. Harvey,

House Bill No. 192, An act in relation to the State Library and the duties of the State Librarian.

Read first time.

By Mr. Bond,

House Bill No. 193, An act to authorize the persons therein named to exercise the rights of majority.

Read first time.

By Mr. Bond,

House Bill No. 194, An act to amend sections 59, 61 and 63 of an act entitled an act to establish a code of civil procedure, approved February 25, 1868.

Read first time.

By Mr. Funston,

House Bill No. 195, An act to prevent the destruction or injury of animals by railroads and to provide compensation for the same.

Read first time.

By Mr. Peek,

House Bill No. 196, An act to locate a State road from Toronto, Woodson county, Kansas, to Coyville, Wilson county, Kansas.

Read first time.

By Mr. G. M. Miller,

House Bill No. 197, An act to authorize the township of Washington in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner.

Read first time.

By Mr. Legere,

House Bill No. 198, An act to repeal section 14 and 15 of an act to provide for the registration of bonds.

Read first time.

By Mr. Spaulding,

House Bill No. 199, An act to repeal an act entitled an act to authorize counties, incorporated cities and municipal townships to issue bonds for the purpose of building bridges, aiding in the construction of railroads, water power or other works of internal improvement, and providing for the registration of such bonds, the registration of other bonds and the repealing of all laws in conflict therewith, approved March 2, 1872.

Read first time.

By Mr. Spaulding,

House Bill No. 200, An act to change the name of a certain road.

Read first time.

By Mr. Banta,

House Bill No. 201, An act relating to the lost records and proceedings in the county of Washington.

Read first time.

By Mr. Banta,

House Bill No. 202, An act relating to the town of Washington.

Read first time.

By Mr. David Adams,

House Bill No. 203, An act to authorize the county commissioners of Russell county to issue bonds of said county for the purpose of liquidating the county indebtedness and for other purposes.

Read first time.

By Mr. Stratton,

House Bill No. 204, An act to legalize certain highways in the county of Clay.

Read first time.

By Mr. McDermott,

House Bill No. 205, An act to appropriate two hundred and fifty dollars to David Adams, to defray expenses of contest.

Read first time.

By Mr. McDermott,

House Bill No. 206, An act making an appropriation for the development of certain salt springs in Sumner and Cowley counties.

Read first time.

By Mr. Veale,

House Bill No. 207, An act to authorize the county commissioners of the counties of Shawnee and Wabaunsee, to make appropriations for the building of a bridge across the Kansas river.

Read first time.

By Mr. Veale,

House Bill No. 208, An act to provide for the issue and sale of union military bonds of the State of Kansas for the purpose of liquidating the indebtedness of the State assumed February 17, 1869, for the Price Raid Claims of 1864, and the Indian expedition under Major General S. R. Curtis, July and August, 1864.

Read first time.

By Mr. Lowrey,

House Bill No. 209, An act to enable the county commissioners of Rice county to issue bonds to pay their indebtedness.

Read first time.

By Mr. J. W. Miller,

House Bill No. 210, An act to amend section 6 of an act exempting certain property from sale upon execution or other process.

Read first time.

By Mr. Bowers,

House Bill No. 211, An act to provide against the evils resulting from the sale of intoxicating liquors in the State of Kansas.

Read first time.

By Mr. Sexton,

House Bill No. 212, An act to authorize the construction of a mill dam across Fall River.

Read first time.

By Mr. Sexton,

House Bill No. 213, An act to legalize proceedings and assessments of the mayor and councilmen of the city of Neodesha in the year 1872.

Read first time.

By Mr. Cooper,

House Bill No. 214, An act to authorize the hanging of gates on the corner of section line roads, in Osage county.

Read first time.

By Mr. Kahler,

House Bill No. 215, An act to establish a State road on the sixth principal meridian.

Read first time.

By D. M. Adams,

House Bill No. 216, An act to amend an act entitled an act to provide for the assessment and collection of taxes, approved February 27, 1868.

Read first time.

By Mr. Jeffreys,

House Bill No. 217, An act making appropriations for the judges of the 7th and 9th judicial districts. Deficiency.

Read first time.

By Mr. Hutchings,

House Bill No. 218, An act to amend section 21, article 4, chapter 83, of the General Statutes of Kansas.

Read first time.

By Mr. Mapes,

House Bill No. 219, An act entitled an act to establish a code of civil procedure.

Read first time.

By Mr. Mapes,

House Bill No. 220, An act entitled an act to amend section 88 of an act entitled an act regulating crimes and punishments.

Read first time.

By Mr. Bell,

House Bill No. 221, An act in relation to marriage.

Read first time.

By David Adams,

House Bill No. 222, An act to authorize the Governor of the State of Kansas to purchase and distribute wheat, corn, flour and bacon to the destitute citizens on the western frontier.

Read first time.

Mr. Lanter moved the rules be suspended, and the bills which had just been introduced, be read a second time now.

Which motion prevailed.



BILLS ON SECOND READING.

House Bill No. 3, An act authorizing Albert A. Brown, a minor, to exercise the rights of majority.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 187, An act to legalize the issue of certain school bonds issued by a vote of the people in School District No. 16, Douglas county, Kansas.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 188, An act to encourage the growth of forest trees.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 189, An act entitled an act to vacate the public park in the town of Douglas, Butler county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 190, An act to provide fish ways in mill dams.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 191, An act to amend an act entitled an act in relation to roads and highways.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 192, An act in relation to the State Library and the duties of the State Librarian.

Read the second time, and

Referred to the Committee on State Library.

House Bill No. 193, An act to authorize persons therein named to exercise the rights of majority.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 195, An act to prevent the destruction or injury of animals by railroads, and to provide compensation for the same.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 196, An act to locate a State road from Toronto, Woodson county, Kansas, to Coyville, Wilson county, Kansas.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 197, An act to authorize the township of Wellington, in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 198, An act to repeal sections 14 and 15 of an act to provide for the registration of bonds.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 199, An act to repeal an act to authorize counties, incorporated cities and municipal townships to issue bonds for the purpose of building bridges, aiding in the construction of railroads, water power and other works of internal improvement, and providing for the registration of such bonds, and the repealing of all laws in conflict therewith, approved March 2, 1872.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 200, An act to change the name of a certain road.

Read the second time, and

Referred to the Committee on Roads and Highways.

Substitute for House Bill No. 201, An act relating to the lost records and proceedings in the county of Washington.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 202, An act relating to the town of Washington.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 203, An act to authorize the county commissioners of Russell county to issue the bonds of said county for the purpose of liquidating the county indebtedness and other purposes.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 204, An act to legalize certain highways in the county of Clay.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 205, An act to appropriate two hundred and fifty dollars to David Adams, to defray expenses of contest.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 206, An act making appropriations to aid the development of certain Salt Springs in Sumner and Cowley counties.

Referred to the Committee on State Library.

House Bill No. 193, An act to authorize persons therein named to exercise the rights of majority.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 195, An act to prevent the destruction or injury of animals by railroads, and to provide compensation for the same.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 196, An act to locate a State road from Toronto, Woodson county, Kansas, to Coyville, Wilson county, Kansas.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 197, An act to authorize the township of Wellington, in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 198, An act to repeal sections 14 and 15 of an act to provide for the registration of bonds.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 199, An act to repeal an act to authorize counties, incorporated cities and municipal townships to issue bonds for the purpose of building bridges, aiding in the construction of railroads, water power and other works of internal improvement, and providing for the registration of such bonds, and the repealing of all laws in conflict therewith, approved March 2, 1872.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 200, An act to change the name of a certain road.

Read the second time, and

Referred to the Committee on Roads and Highways.

Substitute for House Bill No. 201, An act relating to the lost records and proceedings in the county of Washington.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 202, An act relating to the town of Washington.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 203, An act to authorize the county commissioners of Russell county to issue the bonds of said county for the purpose of liquidating the county indebtedness and other purposes.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 204, An act to legalize certain highways in the county of Clay.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 205, An act to appropriate two hundred and fifty dollars to David Adams, to defray expenses of contest.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 206, An act making appropriations to aid the development of certain Salt Springs in Sumner and Cowley counties.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 207, An act to authorize the county commissioners of the counties of Shawnee and Wabaunsee to make appropriation for the building of a bridge across the Kansas river.

Read the second time, and

Referred to a Special Committee composed of the members from Shawnee and Wabaunsee counties.

House Bill No. 208, An act to provide for the issue and sale of Union military bonds of the State of Kansas, for the purpose of liquidating the indebtedness of the State assumed February 17, 1869, for the Price Raid Claims of 1864, and the Indian expedition under Major General S. R. Curtis, in July and August, 1864.

Read the second time, and

Referred to the Committee on Militia.

House Bill No. 209, An act to enable the county commissioners of Rice county to issue bonds to pay their indebtedness.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 210, An act to amend section 6 of an act exempting certain property from sale upon execution or other process.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 211, An act to provide against the evils resulting from the sale of intoxicating liquors in the State of Kansas.

Read the second time, and

Referred to a Special Committee of five.

**Mr. Legere moved that**

**House Bill No. 77, An act to amend (chapter 105, laws 1872,) section 2 of an act entitled an act to amend section 4 of chapter 23 of laws of 1868, and section 1 of chapter 65 of laws of 1871, concerning private corporations,**

**Be referred to the Judiciary Committee and retain its place on the Calendar.**

**House Bill No. 212, An act to authorize the construction of a mill dam across Fall river,**

**Read the second time, and**

**Referred to the Committee on Agriculture and Manufactures.**

**House Bill No. 213, An act to legalize proceedings and assessments of the mayor and councilmen of the city of Neosho in the year 1872.**

**Read the second time, and**

**Referred to the Committee on Judiciary.**

**House Bill No. 214, An act authorizing the hanging of gates on the corners of certain section line roads in Osage county.**

**Read the second time, and**

**Referred to the Committee on Agriculture and Manufactures.**

**House Bill No. 215, An act to establish a State road on the sixth principal meridian.**

**Read the second time, and**

**Referred to the Committee on Roads and Highways.**

**House Bill No. 216, An act to amend an act entitled an act to provide for the assessment and collection of taxes, approved February 27, 1868.**

**Read the second time, and**

**Referred to the Committee on Assessment and Taxation.**

House Bill No. 217, An act making appropriations for the judges of the seventh and ninth judicial districts—deficiency.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 218, An act to amend section 21, article 4, chapter 83, of the General Statutes of Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 219, An act entitled an act to amend section 473 of an act entitled an act to establish a code of civil procedure.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 220, An act entitled an act to amend section 8 of an act entitled an act regulating crimes and punishment.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 221, An act in relation to marriage.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 222, An act to authorize the Governor of the State of Kansas to purchase and distribute wheat, corn, flour and bacon, to destitute citizens on the western frontier.

Read the second time, and

Referred to the Committee on Ways and Means.

Mr. Veale moved to refer

House Bill No. 208

To the Committee of the Whole House.

Which motion prevailed.



Messrs. Hunter and Shaw excused.

Mr. Vickers was granted leave of absence for ten days.

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By consent,

Mr. Banta offered

Petition of G. H. Hollenburgh & Co.

Which was referred to the Committee on Judiciary.

Mr. McLean presented

Remonstrance of W. D. Cooper and others.

Which was referred to the Committee on County Seats and County Lines.

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BILLS ON THIRD READING.

House Bill No. 167, An act to authorize and empower cities of the first class to purchase and acquire real estate,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bel-  
den, Bell, Blakely, Bend, Bowers, Bowron, Brenner, Brown,  
Cooper, Cross, Davis, DeForrest, Dillard, Eldridge, Ensign,  
Frazier, Funston, Gillespie, Gregg, Harper, Harvey, Hoesman,  
Hutchinson, Huntington, J. M. Hunter, James, Jeffrey,  
Kahler, Kalloch, Lane, Langdon, Larkin, Legere, Lowrey,  
Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz,  
Nugent, Peck, Sellers, Sexton, Shaw, Shoemaker, Snyder,  
Stratton, Titus, Turner, Veale, Ward, Wakefield, Weaver  
and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bateman, Beaty, Billings, Bishop, Brinkman, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, Fields, Forsee, Green, Guffy, Henshaw, Hodges, Hungerford, Hutchings, W. J. Hunter, Lanter, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Simpson, Smith, Spaulding, Tough, Vickers, Wells and Willetts.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof

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Mr. Kalloch arose to a question of privilege.

On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

MORNING SESSION.

TUESDAY, FEBRUARY 11, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Beaty, Belden, Bell, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hoosman, Hungerford, Hutchings, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Ward, Wakefield, Weaver and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Monser.

Journal of previous day read and approved.

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PRESENTATION OF PETITIONS.

Petition of B. D. West and two hundred others, asking for the introduction and use of trust deeds as a mode of securing loans on real property.

Referred to the Committee on Judiciary.

Mr. Kalloch presented

Petition of Geo. Lowrey and others, of Douglas county, for repeal or modification of an act in relation to road districts.

Referred to the Committee on Judiciary.

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REPORTS OF STANDING COMMITTEES.

Mr. Harvey, Chairman of the Committee on State Library submitted the following report :

MR. SPEAKER: The Committee on State Library, to whom was referred

House Bill No. 192, An act in relation to the State Library, and the duties of the State Librarian,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

C. W. HARVEY,  
*Chairman.*

Mr. Kalloch, Chairman of the Committee on Railroads, submitted the following report :

MR. SPEAKER: The Committee on Railroads, to whom was referred

House Bill No. 185, An act to distribute the railroad tax in counties for building said road equally as per population of said counties and school districts,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Education.

L. S. KALLOCH,  
*Chairman.*

Mr. Eldridge, Chairman of the Committee on Corporations, submitted the following reports :

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 166, An act to authorize Home township, Nemaha county, to issue bonds for a certain purpose and upon certain conditions therein named,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed, and submitted to the Committee of the Whole.

T. B. ELDRIDGE,  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 143, An act to authorize School District No. 16, in Wabaunsee county, to build a school house and to change the present school site,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed with certain amendments therein named.

T. B. ELDRIDGE,  
*Chairman.*

On motion of Mr. Belden,

House Bill No. 120

Was recommitted to the Judiciary Committee, and ordered to retain its place upon the Calendar.

Mr. Hungerford, Chairman of the Committee on Fees and Salaries, submitted the following report :

**MR. SPEAKER:** The Committee on Fees and Salaries, to whom was referred

House Bill No. 149, An act to amend an act entitled an act to fix the fees of certain officers,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

S. R. HUNGERFORD,  
*Chairman.*

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports :

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred

House Bill No. 103, An act declaring section lines public highways in the county of Barton,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, and the accompanying substitute be passed in lieu thereof.

J. BRENNER,  
*Chairman.*

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred

House Bill No. 184, An act to locate State roads in Atchison,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

J. BRENNER,  
*Chairman.*

Mr. Hutchinson, Chairman of the Committee on Immigration, submitted the following report :

MR. SPEAKER : The Committee on Immigration, to whom was referred

House Bill No. 178, An act to promote immigration into the State of Kansas,

Have had the same under consideration, and instruct me

to report the bill back to the House, with the recommendation that it be passed with an amendment therein noted.

C. C. HUTCHINSON.

*Chairman.*

Mr. Hutchinson, Chairman of the Committee on Immigration reported

House Concurrent Resolution No 8,

Back to the House, with the recommendation that it be indefinitely postponed.

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports:

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 153, An act to amend section 139, article 10, chapter 25, General Statutes of 1868, entitled an act relating to counties and county officers,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 131, An act to authorize proceedings by garnishment in the district courts,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 146, An act to amend an act entitled an act in relation landlords and tenants,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 46, An act to amend an act entitled an act to legalize building, loan and savings institutions, and to declare their acts valid, approved March 3, 1870,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 172, An act to regulate the terms of court in the eighth judicial district,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, the subject-matter being contained in House Bill No. 137.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 137, An act to amend chapter 120 of the Laws of 1872, entitled an act to define the boundaries of the eighth judicial district, and to regulate the terms of court therein,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*



**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 159, An act to amend section 7 of chapter 68 of the laws of Kansas, approved March 2, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 130, An act in relation to the rights and liabilities of owners, lessors, lessees and occupants of buildings and leased premises,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 135, An act to amend chapter 80 of the General Statutes of 1868, section No. 581,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 150, An act supplemental to an act regulating conveyances of real estate,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 145, An act to repeal chapter 200 of the Laws of 1872, entitled an act in relation to the town of Washington,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 148, An act to amend an act concerning mortgages,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 175, An act to amend an act entitled an act to amend an act entitled an act to establish a code of criminal procedure,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 179, An act to amend section 4 of chapter 86 of Statutes of 1869,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the committee on Education.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 183, An act in relation to the abandonment and desertion of families,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 144, An act to amend section 72, chapter 80, of the General Statutes of 1868, to provide for constructive service in case of change of venue,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 140, An act to vacate portions of the towns of Cherokee, in Crawford county, and Pawnee, and Oldham's addition to the town of Osage, in Bourbon county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 157, An act to legalize the official acts of John McKoon of Miami county as notary public,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 132, An act to amend section 470, article 20 of the code of civil procedure, approved February 25, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 136, An act to vacate the town of Ashland, Davis county,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 163, An act to define the boundaries of the ninth judicial district, and to fix the terms of court in the several counties thereof,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA.  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 173, An act to legalize the action of Jacob Reeder,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 77, An act to amend chapter 105, Laws 1872, section 2 of an act entitled an act to amend section 4 of chapter 23 of Laws of 1868, and section 1 of chapter 65 of Laws of 1871, concerning private corporations,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

Mr. Reasoner offered the following resolution :

**WHEREAS**, Certain persons have presented themselves to this House as Representatives of counties duly organized, and

**WHEREAS**, The admission of such persons would raise the number of members of this House to more than the constitutional limit of one hundred ; therefore,

*Be it resolved*, That the Committee on Elections be instructed to examine immediately the credentials of said persons, and the documents in the hands of the Governor and Secretary of State relative to the organization of the counties represented by said persons, and if by the report of said Committee such counties are found to be duly organized, and said persons duly elected as representatives, that these persons receive the same per diem and rates of mileage as regular members.

On motion,

The resolution was ordered to lay over until to-morrow.

Mr. Lanter offered the following resolution :

*Resolved*, That A. Ross, a member of this House from Wallace county, be required to appear on the floor of this House and show cause why he is absent continually without leave.

Which was adopted.

Mr. Banta offered the following resolution :

*Resolved*, That the reporter of the Supreme Court report to this House at as early a day as possible, the cause of the delay in the publication of the eighth, ninth and tenth volumes of the decisions of the Supreme Court.

On motion,

The resolution was adopted.

By consent,

Mr. Lanter withdrew

House Bill No. 100.

Mr. Henshaw offered the following resolution :

*Resolved*, That the chairman of each committee be requested to give notice to the House clerk the time and place of meeting.

On motion,

The resolution was adopted.

Mr. Banta offered the following resolution :

*Resolved*, That the Secretary of State be directed to furnish the Committee on Judiciary the Kansas Reports.

On motion,

The resolution was adopted.

House Concurrent Resolution No. 23, Concerning railroads within, and the Indian Territory.

Was taken up, and

On motion of Mr. Kalloch was ordered to be printed.

Mr. Reasoner moved that the resolution be brought up to-morrow in the regular order of business.

Which motion prevailed.

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INTRODUCTION OF BILLS.

Read by Mr. Gillespie,

House Bill No. 223, An act to provide for calling a convention to revise, alter or amend the constitution of the State of Kansas.

Read by Mr. Tough,

House Bill No. 224, An act supplemental to an act for the encouragement of agriculture, approved February 19, 1872.

Read by Mr. Childs,

House Bill No. 225, An act to determine the boundary line between Cherokee and Labette counties, Kansas.

Read by Mr. Brenner,

House Bill No. 226, An act to revise the hedge law.

Read by Mr. Hoesman,

House Bill No. 227, An act to amend section 136 of article 11 of chapter 81 of the General Statutes of 1868.

Read by Mr. Shoemaker,

House Bill No. 228, An act to amend an act entitled an act for the regulation and support of common schools.

Read first time.

By Mr. Plummer,

House Bill No. 229, An act to amend an act entitled an act to incorporate cities of the first class.

Read first time.

By Mr. Plummer,

House Bill No. 230, An act relating to certain improvements in Leavenworth county.

Read first time.

By Mr. J. M. Miller,

House Bill No. 231, An act to amend sections 704, 705 and 707 of an act to establish a code of civil procedure, chapter 80, of General Statutes of 1868.

Read first time.

By Mr. Huntington,

House Bill No. 232, An act to authorize school district No. 4, in Greenwood county, to issue bonds.

Read first time.

By Mr. Buchan,

House Bill No. 233, An act relating to milling and millers.

Read first time.

By Mr. Buchan,



House Bill No. 234, An act to amend section 72 of chapter 80 of the General Statutes of 1868, entitled an act to establish a code of civil procedure.

Read first time.

By Mr. Buchan,

House Bill No. 235, An act to amend section 13 of chapter 68 of the General Statutes of 1868, entitled an act concerning mortgages.

Read first time.

By Mr. David Adams,

House Bill No. 236, An act to amend section 87, chapter 36, laws of 1868.

Read first time.

By Mr. David Adams,

House Bill No. 237, An act to amend section 101, chapter 36, laws of 1868.

Read first time.

By Mr. David Adams,

House Bill No. 238, An act to locate the county seat of Russell county.

Read first time.

By Mr. David Adams,

House Bill No 239, An act authorizing the inhabitants of the city of Independence to construct water-works.

Read first time.

By Mr. Bell,

House Bill No. 240, An act entitled an act to legalize an election in Scranton township, Republic county, Kansas.

Read first time.

By Mr. Shaw,

House Bill No. 241, An act to establish a State road.

Read first time.

By Mr. Bishop,

House Bill No. 242, An act authorizing an enumeration of persons of school age in Jewell county, Kansas.

Read first time.

Mr. Bond moved that the bills introduced be read a second time now.

Which motion prevailed.

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BILLS ON SECOND READING.

House Bill No. 223, An act for a convention to revise, alter or amend the constitution of the State of Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 224, An act supplemental to an act entitled an act for the encouragement of agriculture, approved February 19, 1872.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 225, An act to determine the boundary line between Cherokee and Labette counties, Kansas.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

House Bill No. 226, An act to revise the hedge law.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 227, An act to amend section 136 of article 11 of chapter 81 of the General Statutes of 1868,

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 228, An act to amend an act for the regulation and support of common schools.

Read the second time, and

Referred to the Committee on Education.

House Bill No. 229, An act to amend an act entitled an act to incorporate cities of the first class.

Read the second time, and

Referred to the Leavenworth Delegation.

House Bill No. 230, An act relating to certain improvements in Leavenworth county.

Read the second time, and

Referred to the Leavenworth delegation.

House Bill No. 231, An act to amend sections 704, 705, and 707 of an act to establish a code of civil procedure, chapter 80 of the General Statutes of 1868.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 232, An act authorizing school district No. 4, in Greenwood county, to issue bonds.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 233, An act relating to mills and millers.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 234, An act to amend section 72 of chapter 80 of General Statutes of 1868, entitled an act to establish a code of civil procedure.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 235, An act to amend section 13 of chapter 68 of the General Statutes of 1868, entitled an act concerning mortgages.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 236, An act to amend section 87, chapter 36, laws of 1868.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 237, An act to amend section 101, chapter 36, laws of 1868.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 238, An act to locate the county seat of Russell county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 239, An act authorizing the inhabitants of the city of Independence to construct water-works.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 240, An act entitled an act to legalize an election in Scranton township, Republic county, Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 241, An act to establish a State road.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 242, An act authorizing an enumeration of persons of school age in Jewell county, Kansas.

Read the second time, and

Referred to the Committee on Education.

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COMMITTEE OF THE WHOLE.

Mr. Harvey moved that the House now go into Committee of the Whole on General Orders.

Which motion prevailed.

Mr. Buchan in the chair.

After some time spent therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

House Bill No. 14, An act to amend section 89, article 9, chapter 23, General Statutes of 1868, and section 2 of chapter 105 of the laws of 1872, concerning private corporations.

Passed by consent.

House Bill No. 55, An act to create the office of public administrator in the various counties of the State, etc.

Passed by consent, and ordered to retain its place on the Calendar.

House Bill No. 69, An act to authorize the county of Lincoln to issue fifteen thousand dollars in bonds to buy a farm for the poor,

And recommend its rejection.

House Bill No. 70, An act to authorize Henry S. Buzick to construct and maintain a mill dam across the Saline river,

And recommend its rejection.

House Bill No. 68, An act to authorize the board of county commissioners of Lincoln county to sell any or all property belonging to said county, in the old town site of Abram, Lincoln county, Kansas,

And recommend its rejection.

House Bill No. 73, An act to legalize the official acts of Henry Vernon, in Lincoln county,

And recommend its rejection.

House Bill No. 72, An act to authorize the commissioners of Lincoln county, Kansas, to issue seventy thousand dollars in bonds to build a court house and bridges,

And recommend its rejection.

House Bill No. 75, An act to amend section 3 of an act entitled an act amendatory of and supplemental to chapter 93 of the General Statutes relating to school district bonds, approved February 28, 1872.

And recommend its passage, subject to amendment and debate.

House Bill No. 79, An act to amend section 13 of chapter 25 of the General Statutes of 1868, relating to meeting of county boards,

And recommend its passage, subject to amendment and debate.

By consent,

Mr. Spaulding moved to amend by saying this act shall not include counties of twelve thousand inhabitants.

House Bill No. 80, An act to amend an act to provide for the sale of school lands,

And recommend its indefinite postponement.

House Bill No. 82, An act legalizing the official acts of certain parties named therein,

And recommend its rejection.

House Bill No. 83, An act to define the boundaries of the twelfth judicial district, and to regulate the terms of court therein,

And recommend its passage, subject to amendment and debate.

House Bill No. 36, An act to create the fifteenth judicial district, and to provide for a judge thereof, and for holding the terms of court therein.

And recommend its passage, subject to amendment and debate.

House Bill No. 60, An act entitled an act to vacate a certain alley in the city of Garnett,

And recommend its passage.

House Bill No. 45, An act to authorize the consolidation of bridge companies organized under the laws of this State, with similar companies organized under the laws of an adjoining State,

And recommend its passage.

House Bill No. 24, An act to amend an act concerning the location of county seats.

Pending the action of the Committee on

House Bill No. 24,

The Committee arose and begged leave to sit again.

Which, on motion, was granted.

Mr. O'Driscoll arose to a question of privilege.

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Crew, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Heesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Seofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

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OFFICE SECRETARY OF STATE, }  
FEBRUARY 11, 1873. }

HON. JOSIAH KELLOGG, *Speaker of the House of Representatives:*

SIR: In conformity with a resolution of the House, directing the Secretary of State to confer with the State Architect in reference to the ventilation of the hall of the House



of Representatives, I beg leave to submit herewith the report of the architect on that subject.

Respectfully,

Your obd't servt.

W. H. SMALLWOOD,

*Secretary of State.*

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TOPEKA, KANSAS, February 10, 1873.

To the HON. W. H. SMALLWOOD, *Secretary of State.*

SIR : In reply to the resolution concerning the ventilation of the hall of the House of Representatives, I beg leave to make the following statement :

The building is amply provided with all requisite ducts and registers for its sufficient ventilation when fully complete. Inasmuch as the present wing is only temporary in its arrangement, and no larger than actually required for present use ; no ventilating shaft was built, the intention being to locate this in the central building where it would be out of the way, the ducts and registers above referred to are at present unavailable on account of the absence of the ventilating shaft. Moreover, the distribution of heat as well as the arrangement of rooms is different from what would be required in case the whole building was complete.

There are several methods which can be applied temporarily ; for example, the ceiling of the room can be opened, and a register inserted communicating with external air, this would relieve any excess of heat, but would need to be watched closely or the steam coils would fail to keep up the temperature of the rooms, as the escape of heated air might be too rapid.

Another method would be to raise the lower window sash slightly, say an inch, and turn a current upon the hot coils under them by a hood prepared for the purpose, this method would bring fresh air somewhat heated into the

room. This, also, would want more or less watching, as every change of temperature in the external atmosphere would produce a change inside sometimes not desirable.

A temporary improvement of the ventilation might be secured if some half dozen or more thermometers were fixed in different parts of the room as nearly in uniform positions as practicable, and the doorkeepers and heating engineers instructed to produce a given temperature as nearly as possible. The result would be likely to be as satisfactory even as a more elaborate and expensive method of ventilation; this means would cause the windows to be opened at the bottom or top, or both, (sometimes more and sometimes less), so that the ingress of slight currents of cold air and displacement of the warm or foul would be so general, gradual and complete as to insure a given degree of comfort. By this means, if cared for by its custodians, one end of the room could be kept at a different temperature from the other, and almost any required result obtained.

In case this suggestion should not be satisfactory, either or both the others can be adopted.

Respectfully,

J. G. HASKELL,

*Architect.*

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COMMITTEE OF THE WHOLE.

On motion of Mr. J. W. Miller,

The House went into Committee of the Whole on General Orders.

Mr. Buchan in the chair.

After some time spent therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: The Committee of the Whole House have had under consideration

House Bill No. 8, An act to amend an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases,

And recommend its passage.

House Bill No. 96, An act to amend section 1 of an act entitled an act to amend section 36, article 2, chapter 25, of the General Statutes, relating to counties and county officers, approved March 1, 1872,

And recommend its passage, subject to amendment and debate.

House Hill No. 24, An act to amend an act concerning the location of county seats,

And recommend that it be taken from the Calendar and

Referred to the Committee on Judiciary.

House Bill No. 71, An act to amend an act relative to the terms of court in Lincoln county, Kansas,

And recommend its rejection.

House Bill No. 95, An act to amend section 253 of chapter 80, of the General Statutes of 1868,

And recommend its passage.

House Bill No. 81, An act relating to municipal bonds, and amendatory of sections Nos. 13 and 15 of chapter 68 of the session acts of 1872, and providing for the registration of the same,

And recommend that it be printed and retain its place on the Calendar.

House Bill No. 67, An act to amend an act regulating the jurisdiction and procedure before justices of the peace in civil cases,

By consent,

Messrs. Ross and Larkin were granted leave of absence until Friday.

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REPORTS OF STANDING COMMITTEES.

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following reports:

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 16, An act to encourage the growth of forest trees,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

REUBEN SMITH

*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 52, An act to amend the sixth section of an act approved March 3, 1863, relating to mills and millers,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

REUBEN SMITH,

*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 171, An act to secure better protection from prairie fires,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation

tion that the accompanying substitute be passed.

REUBEN SMITH,  
*Chairman.*

Mr. Allen, Chairman of the Committee on County Seats and County Lines, submitted the following report:

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 92, 'An act to organize township organizations in the State of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

E. B. ALLEN,  
*Chairman.*

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports:

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 191, An act to amend an act entitled an act in relation to roads and highways,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 196, An act to locate a State road from Toronto, Woodson county, Kansas, to Coyville, Wilson county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

**MR. SPEAKER:** The Committee on Roads and Highways, to whom was referred

House Bill No. 200, An act to change the name of a certain road,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

**J. BRENNER,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Roads and Highways, to whom was referred

House Bill No. 204, An act to legalize certain highways in the county of Clay,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

**J. BRENNER,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Roads and Highways, to whom was referred

House Bill No. 215, An act to establish a State road on the sixth principal meridian,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

**J. BRENNER,**  
*Chairman.*

**Mr. Miller,** Chairman of the Committee on Assessment and Taxation, submitted the following reports:

**MR. SPEAKER:** The Committee on Assessment and Taxation, to whom was referred

House Bill No. 51, An act to amend certain specified sections of chapter 107 of the General Statutes, being an act

to provide for the assessment and collection of taxes, and suspending the penalty under certain conditions.

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

J. W. MILLER,  
*Chairman.*

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 93, An act to amend section 76, article 13, chapter 107, General Statutes of 1868—collection of taxes,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. W. MILLER,  
*Chairman.*

Mr. Eldridge, Chairman of the Committee on Corporations, submitted the following reports:

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 2, An act to provide for the incorporation of the first ward of cities of the second class under certain circumstances,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass with the accompanying substitute.

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 198, An act to repeal sections 14 and 15 of an act to provide for the registration of bonds,

Have had the same under consideration, and instruct me

to report the bill back to the House, with the recommendation that it be rejected.

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 4, An act to amend an act authorizing municipal corporate authorities to issue bonds for internal improvements, approved March 2, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed with certain amendments therein named.

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 199, An act to repeal an act to authorize counties, incorporated cities and municipal townships to issue bonds for the purpose of building bridges, aiding in the construction of railroads, water power and other works of internal improvement, and providing for the registration of such bonds, and the repealing of all laws in conflict therewith, approved March 2, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 232, An act to authorize school district No. 4, in Greenwood county, to issue bonds,

Have had the same under consideration, and instruct



me to report the bill back to the House, with the recommendation that it pass."

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 187, An act to legalize the issue of certain school bonds issued by a vote of the people in School District No. 16, Douglas county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Judiciary.

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 209, An act to enable the county commissioners of Rice county to issue bonds to pay their indebtedness.

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

T. B. ELDRIDGE,  
*Chairman.*

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, submitted the following reports:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 45, 60, 79, 83, 75, 36, 96 and 95,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

Mr. Sexton, Chairmrn of Special Committee, submitted the following report:

MR. SPEAKER: The Special Committee, to whom was referred

House Bill No. 54, An act to amend section 1 of an act to provide for holding court in certain counties therein named,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, and that the accompanying substitute be passed.

J. Z. SEXTON,  
*Chairman.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the adoption of

House amendments to Senate amendments to

House Concurrent Resolution No. 15, Requesting S. O. Pomeroy to resign.

And has adopted

House Concurrent Resolution No. 13, Relating to the boundary line between Kansas and Missouri.

House Concurrent Resolution No. 18, Pertaining to settlers in Allen county,

Accompanied by petition, with an amendment thereon noted.

And has passed

Senate Bill No. 20, An act relating to school lands.

Senate Bill No. 31, An act to vacate town sites and additions thereto.

GEO. C. CROWTHER,  
*Secretary.*

## RESOLUTIONS CONSIDERED.

## House Concurrent Resolution No. 15.

**WHEREAS**, United States Senator, Samuel C. Pomeroy, was charged before the Joint Convention of the Legislature, with having used corrupt means for the purpose of influencing the vote of a member of the Legislature for the purpose of re-electing himself to the United States Senate, and

**WHEREAS**, It was stated by Senator York, that he did pay to a Senator of the State of Kansas, the sum of \$7,000 dollars for his vote; therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring :*

That without assuming to decide upon the merits of the charges, thus anticipating the decision of the courts to which the charges are now referred, that it is the sense of this Legislature, that it is due the dignity and honor of this State, that Senator S. C. Pomeroy should immediately resign his office of United States Senator.

That a certified copy of this resolution be sent immediately by the Secretary of State to the President of the United States, and the President of the Senate, and Senator Pomeroy at Washington.

## House Concurrent Resolution No. 13.

**WHEREAS**, The eastern boundary line of the State of Kansas, as fixed by an act for the admission of Kansas into the Union, approved January 29, 1861, synonymous with the western boundary line of the State of Missouri, as fixed by an act to authorize the people of the Missouri Territory, to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain territories, approved March 6, 1820, and,

**WHEREAS**, The said western line of the State of Missouri, as fixed by said last mentioned act was a meridian of longi-

tude which at that time passed through the middle of the mouth of Kansas river, where the same intersected or emptied into the Missouri river, and,

**WHEREAS**, It is claimed by the oldest inhabitants of Eastern Kansas and Western Missouri, that the intersection of Kansas with the Missouri river at that time, was from one to two miles east of the present line, between this State and the State of Missouri, and,

**WHEREAS**, It is of great importance to the people of both the States, that the exact location of said line be fixed, established and marked, that all may know it; therefore,

*Be it resolved by the House of Representatives, the Senate concurring :*

1. That we request our members of Congress to use their best endeavors to secure a re-survey of the line aforesaid, from a point where the same intersects the Missouri river to the southern line of the two States.

2. That a copy of this resolution be sent to the President of the Senate, and one to the Speaker of the House, and one to each of our Senators and Representatives in Congress.

**House Concurrent Resolution No. 18:**

**WHEREAS**, Peter M. Carnine, John Gilkerson, Thomas D. Weatherman, J. W. Arnold, John Rutledge, Jacob Fike, Earl W. Thorp, David Edwards, E. M. Church, Thos. A. McLeland, J. Spier, L. Dickey, Thomas J. Rutledge and Jacob Welch, did file pre-emption claims upon lands within Allen county and improve and settle on the same, and before the expiration of their pre-emption filings did enlist in the army of the United States, and during their term of service, in pursuance of instructions received by the Register of the land office, did file what was termed a soldier's filing, with the understanding with them from instructions received by the Register of the land office, that the time which they were in the army should not count as against their pre-emption filings; and,

**WHEREAS**, They did, after their discharge from the army, repair to the land office to prove up their claims, and were informed by the Register of the land office that a bill known as the Homestead Act had passed Congress during the time they were in the army, and that by furnishing a copy of their discharges from the army they could transmute their pre-emption claims to homestead entries, which they accordingly did; and,

**WHEREAS**, They did, after the lapse of five years, repair in good faith to the land office to prove up their claims under the said Homestead Act, and were informed that their land was withdrawn from the market for the benefit of railroads to be constructed through said Allen county, and that they could not prove up their rights to the lands under the law, this being the first intimation they had received that the land was not theirs, and,

**WHEREAS**, They are now residing upon the lands, and have been since their first pre-emption filings, except during the time they were in the army of the United States, and have valuable and lasting improvements on them; therefore,

*Be it resolved by the House, the Senate concurring:*

That our Senators and Representatives in Congress be requested to present and urge the passage of a bill in Congress whereby they may obtain their rights either under the Homestead Act, pre-emption or otherwise, and that a certified copy of this resolution be furnished by the Secretary of State to each of our Senators and Representatives in Congress.

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Special Committee on

House Bill No. 211,

Were announced as follows:

Messrs. Legere, D. M. Adams, Robinson, Huntington and Turner.

House Concurrent Resolution No. 23, Concerning railroads within the Indian Territory,

Was taken up and read.

The resolution as amended was adopted.

The resolution in relation to the admission of members exceeding one hundred, offered by Mr. Reasoner on yesterday,

Was taken up.

Mr. Hutchinson moved to amend by striking out all after the second resolved, in the eighteenth line, down to and including the word "and" on the twenty-fourth line, and strike out "delegates" in the twenty-fourth and twenty-fifth lines, and insert the word "persons."

The amendment was accepted by Mr. Reasoner.

Mr. Cochrane moved to lay the motion upon the table.

Which motion was lost.

Mr. Buchan offered the following amendment:

Add: "Up to the time this House decided such persons were not entitled to their seats in this House."

The resolution was adopted.

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#### INTRODUCTION OF BILLS.

By Mr. Kalloch,

House Bill No. 243, An act to provide for the incorporation of savings and trust companies.

Read first time.

By Mr. Forsee,

House Bill No. 244, An act supplemental to an act to regulate freight and fares on railroads.

Read first time.

By Mr. Dillard,

House Bill No. 245, An act providing for certain improvements in Leavenworth county.

Read first time.

By Mr. Allen,

House Bill No. 246, An act to amend section 18 of chapter 25 of the General Statutes of 1868, in reference to counties and county officers.

Read first time.

By Mr. Crew,

House Bill No. 247, An act to secure civil rights to citizens of this State.

Read first time.

By Mr. Fields,

House Bill No. 248, An act supplemental to an act entitled an act in relation to fences, General Statutes of 1868,

Read first time.

By Mr. Fields,

House Bill No. 249, An act to provide for the sinking of a drill at the Kansas State Penitentiary to determine the presence of coal or other mineral, and to secure an artesian well.

Read first time.

By Mr. Peck,

House Bill No. 250, An act to further define the duties of township trustees.

Read first time.

By Mr. Brinkman,

House Bill No. 251, An act relating to the boundary of Sargent county, Kansas.

Read first time.

By Mr. Brinkman,

House Bill No. 252, An act legalizing the organization of Barton county, Kansas.

Read first time.

By Mr. Buchan,

House Bill No. 253, An act to amend section 68 of the code of civil procedure.

Read first time.

By Mr. Sexton,

House Bill No. 254, An act providing for the registration of voters before county seat elections.

Read first time.

By Mr. Sexton,

House Bill No. 255, An act prescribing additional duties of assessors.

Read first time.

By Mr. David Adams,

House Bill No. 256, An act imposing a special jury tax on certain aliens.

Read first time.

By Mr. Bell,

House Bill No. 257, An act for the investment of the permanent school fund of this State in real estate security.

Read first time.

By Mr. Morrison,

House Bill No. 258, An act to amend section 36 of the school laws.

Read first time.

Mr. Kalloch moved to suspend the rules and place all bills just read a first time on second reading now.

Which motion prevailed.



BILLS ON SECOND READING.

The following bills were read a second time and appropriately referred :

Senate Bill No. 20, An act relating to school land.

Read the second time, and

Referred to the Committee on Education.

Senate Bill No. 31, An act to vacate town sites and additions thereto.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 243, An act to provide for the incorporation of savings and trust companies.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 244, An act supplementary to an act to regulate freight and fares on railroads.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 245, An act providing for certain improvements in Leavenworth county.

Read the second time, and

Referred to the Leavenworth Delegation.

House Bill No. 246, An act to amend section 18 of chapter 25 of the General Statutes of 1868, in reference to counties and county officers.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 247, An act to secure civil rights to citizens of this State.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 248, An act supplemental to an act entitled an act in relation to fences, General Statutes of 1868,

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 249, An act to provide for the sinking of a drill at the Kansas State Penitentiary to determine the presence of coal or other mineral, and to secure an artesian well.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 250, An act to further define the duties of township trustees.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 251, An act relating to the boundary of Sargent county, Kansas.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

House Bill No. 252, An act legalizing the organization of Barton county, Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 253, An act to amend section 68 of the code of civil procedure.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 254, An act providing for the registration of voters before county seat elections.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 255, An act prescribing additional duties of assessors.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 256, An act imposing a special jury tax on certain aliens.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 257, An act for the investment of the permanent school fund of this State in real estate security.

Read the second time, and

Referred to the Committee on Education.

House Bill No. 258, An act to amend section 36 of the school laws.

Read the second time, and

Referred to the Committee on Education.

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BILLS ON THIRD READING.

House Bill No. 75, An act to amend section 3 of an act entitled an act amendatory of and supplemental to chapter 93 of the General Statutes relating to school district bonds, approved February 28, 1872,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 41; nays, 32.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Baker, Banta, Bell, Bishop, Bowers, Brenner, Brinkman, Buchan, Childs, Cooper, Crew, Curtain, DeForrest, Eldridge, Gregg, Guffy, Harper, Harvey, Hungerford, Huntington, James, Kahler, Lane, Langdon, Lowrey, J. W. Miller, Morrison, Motz, O'Driscoll, Peck, Reasoner, Searcy, Sexton, Shaw, Shoemaker, Smith, Tough, Turner, Wakefield and Weaver.

The following gentlemen voted in the negative :

Messrs. Beaty, Blakely, Brown, Cochrane, Davis, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Green, Henshaw, Hodges, Hoesman, Hutchinson, Jeffrey, Kallcoch, Lanter, Legere, Lowe, McDonald, McLean, Plummer, Robinson, Sellers, Simpson, Snyder, Stratton, Titus, Veale and Ward.

Gentlemen absent or not voting were :

Messrs. Allen, Bacon, Bateman, Belden, Billings, Bond, Bowron, Cross, Cummings, Dillard, Hutchings, J. M. Hunter, W. J. Hunter, Larkin, Mapes, McDermott, G. M. Miller, Morgan, Nugent, Ross, Scofield, Spaulding, Vickers, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote in favor of the passage of the bill,

The bill was lost.

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House Bill No. 79, An act to amend section 13 of chapter 25 of the General Statutes of 1868, relating to meeting of county boards,

Was read the third time.

And the question being : Shall the bill pass ?

The roll was called with the following result :

Yeas, 75 ; nays, 3.

The following gentlemen voted in the affirmative :

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Beaty, Belden, Bell, Bishop, Blakely, Bond, Bowers, Bowron, Brown, Brenner, Brinkman, Cochran, Cooper, Crew, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Lanter, Legere, Lowrey, McDonald, McLean, G. M. Miller, J. W. Miller, Morgan, Motz, O'Driscoll, Peck, Reasoner, Robinson, Searcy Sexton, Shaw, Shoemaker, Simpson, Smith, Stratton, Turner, Veale, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. Plummer, Sellers and Titus.

Gentlemen absent or not voting were :

Messrs. Bacon, Bateman, Billings, Buchan, Childs, Cross, Cummings, Hutchings, W. J. Hunter, Larkin, Lowe, Mapes, McDermett, Morrison, Nugent, Ross, Scofield, Snyder, Spaulding, Tough, Vickers and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 83, An act to define the boundaries of the twelfth judicial district, and to regulate the terms of court therein,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 67 ; nays, 4.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Childs, Cochrane, Cooper, Crew, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Hodges, Hoosman, Hungerford, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Langden, Lanter, Legere, Lowrey, Lowe, McLean, J. W. Miller, Morgan, Motz, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Turner, Veale, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Bacon, Beaty, Henshaw and Morrison.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bateman, Billings, Bond, Brenner, Brinkman, Buchan, Cross, Cummings, Curtain, Eldridge, Hutchings, W. J. Hunter, Kalloch, Lane, Larkin, Mapes, McDermott, McDonald, G. M. Miller, Nugent, Plummer, Ross, Scofield, Snyder, Spaulding, Tough, Vickers and Willets.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

Mr. Veale, Chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

House Bill No. 205, An act to appropriate two hundred

and fifty dollars to David Adams, to defray expenses of contest,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, and provided for in special appropriations.

G. W. VEALE,  
*Chairman.*

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

House Bill No. 147, An act for the relief of G. M. Miller,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, and provided for in special appropriations.

G. W. VEALE,  
*Chairman.*

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

House Bill No. 158, An act appropriating money to pay the attorney's fees and expenses of C. A. Rohrabacher,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, and provided for in special appropriations.

G. W. VEALE,  
*Chairman.*

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

House Bill No. 139, An act to provide for the requirements of House Bill No. 65,

Have had the same under consideration, and instruct me

to report the bill back to the House, with the recommendation that it be rejected.

G. W. VEALE,  
*Chairman.*

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By consent,

Mr. Bowron offered the following resolution :

★ *Resolved*, That the Clerk of the Committee on Elections, in addition to his duties as Clerk of said Committee, be and is hereby ordered to act as Clerk of the Committee on Agriculture and Manufactures.

Which resolution was adopted.

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bill No. 8,

Have had the same under consideration, and instruct me to report the bill back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*



AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. Bacon, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowron, Brenner, Brown, Buchan, Cohrane, Cooper, Cross, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Forsee, Frazier, Funston, Gillespie, Green, Guffy, Harper, Henshaw, Hodges, Heesman, Hutchings, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Tough, Turner, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

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BILLS ON THIRD READING.

House Bill No. 60, An act entitled an act to vacate a certain alley in the city of Garnett,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 78; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morgan, Morrison, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Billings, Bend, Brinkman, Cross, Cummings, Eldridge, Ensign, Guffy, Hutchings, W. J. Hunter, Kalloch, Lane, Larkin, G. M. Miller, Motz, Ross, Snyder, Spaulding and Willetts.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 45, An act to authorize the consolidation of bridge companies organized under the laws of this State, with similar companies organized under the laws of an adjoining State,

Was read the third time.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 71; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. Bacon, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowron, Brenner, Brown, Buchan, Cochran, Cooper, Curtain, Davis, DeFerrest, Dillard, Eldridge, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchison, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Tough, Turner, Veale, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Allen, Baker, Billings, Bond, Bowers, Brinkman, Childs, Crew, Cross, Cummings, Ensign, Guffy, W. J. Hunter, Kallooh, Larkin, McDonald, Ross, Snyder, Spaulding, Vicker sand Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 8, An act to amend an act entitled an act regulating the jurisdiction and procedure before justice of the peace in civil cases,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 54 ; nays, 26.

Gentlemen voting in the affirmative were :

Messrs. David Adams, D. M. Adams, Bacon, Bishop, Blakely, Brinkman, Brown, Childs, Cochrane, Cooper, Cross, Curtain, DeForrest, Forsee, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Legere, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Reasoner, Robinsen, Scofield, Searcy, Sexton, Shaw, Titus, Tough, Veale, Ward, Wakefield and Mr. Speaker Kellogg.

The following gentlemen voted in the negative :

Messrs. Baker, Banta, Bateman, Beaty, Belden, Bowers, Brenner, Buchan, Crew, Davis, Dillard, Fields, Frazier, Gillespie, Gregg, Green, Hodges, Lanter, McLean, O'Driscoll, Plummer, Simpson, Smith, Snyder, Stratton and Weaver.

Gentlemen absent or not voting were :

Messrs. Allen, Bell, Billings, Bowron, Bond, Cummings, Eldridge, Ensign, Funston, W. J. Hunter, Kalloch, Lane, Larkin, Lowrey, Ross, Sellers, Shoemaker, Spaulding, Turner, Vickers, Wells and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 36, An act to create the fifteenth judicial district, and to provide for a judge thereof, and for holding the terms of court therein.

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 76 ; nays, 4.

The following gentlemen voted in the affirmative :

Messrs. David Adams, D. M. Adams, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bond, Bowers, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Curtain, Davis, DeForrest, Dillard, Eldridge, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Scofield, Searcy, Sexton, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Tough, Veale, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were :

Messrs. Bacon, Beaty, Lanter and O'Driscoll.

Gentlemen absent or not voting were :

Messrs. Allen, Billings, Bowron, Crew, Cummings, Ensign, Funston, W. J. Hunter, Lane, Larkin, Morrison, Ross, Sellers, Shoemaker, Spaulding, Turner, Vickers, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 96, An act to amend section 1 of an act entitled an act to amend section 36, article 2, chapter 25, of the General Statutes, relating to counties and county officers, approved March 1, 1872,

Was read the third time.

Mr. Curtain moved to amend by adding to section 2: "And the territory lying west of the Graham is hereby attached to Rooks, and the territory lying west of Norton is attached to Norton for judicial purposes.

Which motion prevailed.

The question being: Shall the bill pass as amended?

The yeas and nays were had with the following result:

Yeas, 62; nays, 17.

Gentlemen voting in the affirmative were:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Banta, Bateman, Belden, Bell, Bowers, Brenner, Brinkman, Brown, Buchan, Childs, Cochran, Cooper, Crew, Cummings, Curtain, DeForrest, Dillard, Fields, Forsee, Frazier, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hoeman, Hungerford, Hutchings, J. M. Hunter, Kahler, Kalloch, Lanter, Legare, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sexton, Shaw, Snyder, Stratton, Titus, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were:

Messrs. Baker, Beaty, Bishop, Blakely, Davis, Hodges, Hutchinson, Huntington, James, Jeffrey, Langdon, Scofield, Sellers, Simpson, Smith, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. Billings, Bond, Bowron, Cross, Eldridge, Ensign, Funston, Gillespie, W. J. Hunter, Lane, Larkin, McLean, Plummer, Ross, Shoemaker, Spaulding, Tough, Turner, Veale, Vickers and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 95, An act to amend section 253 of chapter 80 of the General Statutes of 1868,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result,

Yeas, 73; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Beaty, Belden, Bell, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Gillespie, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, O'Driscoll, Peck, Robinson, Searcy, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Tough, Veale, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent and not voting were:

Messrs. Banta, Bateman, Billings, Brinkman, Curtain, Eldridge, Ensign, Fanston, Gregg, J. W. Hunter, Lane, Larkin, Lanter, Motz, Nugent, Plummer, Reasoner, Rose, Scofield, Sellers, Sexton, Shoemaker, Spaulding, Turner, Vickers, Ward and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Mr. Sexton, Chairmn of Special Committee, submitted the following report:

MR. SPEAKER: The Special Committee, to whom was referred

House Bill No. 54, An act to amend section 1 of an act to provide for holding court in certain counties therein named,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, and that the accompanying substitute be passed.

J. Z. SEXTON,  
*Chairman.*

House Bill No. 54, An act to amend section 1 of an act to provide for holding court in certain counties therein named,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Belden, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Cooper, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Gillospie, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchison, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Morrison, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sexton, Shaw, Snyder, Stratton, Titus, Tough, Vickers, Ward, Wakefield, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Banta, Bateman



Beaty, Bell, Billings, Bishop, Childs, Cochrane, Crow, Eldridge, Easign, Funston, Harvey, J. M. Hunter, Lane, Larkin, Lanter, Legere, McDermott, McDonald, McLean, Motz, Nugent, Plummer, Ross, Scofield, Sellers, Shoemaker, Simpson, Smith, Spaulding, Turner, Veale, Weaver and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the House thereof.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Snyder,

The House went into Committee of the Whole on General Orders.

Mr. Buchan in the chair.

After some time spent in debate therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

House Bill No. 42, An act relating to the issuing of municipal bonds, and amendatory to section 3, chapter 68, session laws of 1872,

And recommend its rejection.

House Bill No. 14, An act to amend section 89, article 9, chapter 23, General Statutes of 1868, and section 2 of chapter 105 of the laws of 1872, concerning private corporations,

And recommend its indefinite postponement.

House Bill No. 55, An act to create the office of public administrator in the various counties of the State, etc.,

And recommend its rejection.

House Bill No. 81, An act relating to municipal bonds, and amendatory of sections Nos. 13 and 15 of chapter 68 of the session acts of 1872, and providing for the registration of the same,

And recommend its rejection.

House Bill No. 111, An act to amend section 1, 5, 8 and 37 of chapter 60, of the General Statutes of 1868, in reference to lunatics and habitual drunkards,

And recommend its rejection.

House Bill No. 43, An act to amend sections 325 and 328 of article 16 of the code of civil procedure,

And recommend its passage.

House Bill No. 7, An act to regulate taxation in the change of boundary lines,

And recommend its passage.

House Bill No. 74, An act supplemental to an act entitled an act regulating the jurisdiction and procedure before justices of the peace in civil cases,

And recommend its rejection.

House Bill No. 88, Authorizing the county treasurer of Ellsworth county to transfer certain county funds,

And recommend that it be referred to the Committee on Judiciary.

House Bill No. 40, An act in relation to penitentiary convicts, and to amend section 28, chapter 77, of General Statutes of 1868,

And recommend rejection, and the passage of the accompanying substitute :

Substitute for House Bill No. 40, An act to amend section 28, chapter 77 of General Statutes of 1868.

J. W. BUCHAN,  
*Chairman.*

Mr. Hutchinson moved that the report of the Committee of the Whole be adopted.

Mr. Snyder moved to except the report of the Committee on

House Bill No. 42.

Which motion was lost.

Mr. O'Driscoll moved to except

House Bill No. 81.

Which motion prevailed.

The report of the Committee was agreed to as amended by Mr. O'Driscoll.

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The following communication from the Hon. John J. Ingalls, United States Senator, was read :

ATCHISON, KANSAS, February 12, 1873.

HON. JOSIAH KELLOGG, *Speaker of the House of Representatives, Topeka, Kansas:*

DEAR SIR : It was my intention to address the Legislature to-morrow (Thursday evening, 13th inst.,) in compliance with the Concurrent Resolution, but recent telegraphic advices render it necessary for me to leave for Washington at the earliest practicable moment, and I shall be unable to meet you as suggested. Please communicate to the House, and believe me.

Very truly yours,  
JOHN J. INGALLS,

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Mr. O'Driscoll moved that the House recommend the passage of

House Bill No. 81.

Pending the action of the House,

On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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MORNING SESSION.

THURSDAY, FEBRUARY 13, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Cummings, Curtain, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Weaver, Walls and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Taylor.

The Journal of previous day read and approved.

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Mr. Fields asked leave of absence for Mr. Bond for the remainder of the session.

Mr. Sellers presented

Petition of citizens of Wellington township, Wabaunsee county, Kansas, asking that all section lines be made public highawys.

By consent,

Mr. Lane was granted leave of absence until he recovered from sickness.

By consent,

The Committee to visit the Agricultural College, was granted leave of absence until Monday next.

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**REPORTS OF STANDING COMMITTEES.**

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following report:

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

A petition signed by Geo. Lyon and forty other citizens of Bourbon county, in relation to the running at large of animals,

Have had the same under consideration and have instructed me to report said petition back to the House, and say that they have reported House Bill No. 122, to which the petition would apply, recommending its passage.

REUBEN SMITH,  
*Chairman.*

Mr. Hungerford, Chairman of the Committee on Fees and Salaries, submitted the following report:

MR. SPEAKER: The Committee on Fees and Salaries, to whom was referred

House Bill No. 142, An act regulating the fees of sheriffs in certain cases,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass with the accompanying substitute.

S. R. HUNGERFORD,

*Chairman.*

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 43, 7 and substitute for 40,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,

*Chairman.*

Mr. Miller, Chairman of the Committee on Assessment and Taxation, submitted the following reports:

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 170, An act to repeal an act entitled an act to amend sections 76, 77, 78, 79, 80, 81, 82 and 83, of article 5, concerning county assessors,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

J. W. MILLER,

*Chairman.*

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 152, An act to facilitate the collection of delinquent taxes on personal property,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

J. W. MILLER,  
*Chairman.*

Mr. Eldridge, Chairman of the Committee on Corporations, submitted the following report:

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 243, An act to provide for the incorporation of savings and trust companies,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

T. B. ELDRIDGE,  
*Chairman.*

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following report:

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 122, An act to amend an act entitled an act to provide for the regulation of the running at large of animals,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

REUBEN SMITH,  
*Chairman.*

Mr. Banta, Chairman of the Committee on Judiciary submitted the following reports:

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Mr. Sexton, Chairmn of Special Committee, submitted the following report:

MR. SPEAKER: The Special Committee, to whom was referred

House Bill No. 54, An act to amend section 1 of an act to provide for holding court in certain counties therein named,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, and that the accompanying substitute be passed.

J. Z. SEXTON,  
*Chairman.*

House Bill No. 54, An act to amend section 1 of an act to provide for holding court in certain counties therein named,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Belden, Blakely, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Cooper, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Gillospie, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchison, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Morrison, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sexton, Shaw, Snyder, Stratton, Titus, Tough, Vickers, Ward, Wakefield, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Banta, Bateman



Beaty, Bell, Billings, Bishop, Childs, Cochrane, Crow, Eldridge, Ensign, Funston, Harvey, J. M. Hunter, Lane, Larkin, Lanter, Legere, McDermott, McDonald, McLean, Motz, Nugent, Plummer, Ross, Scofield, Sellers, Shoemaker, Simpson, Smith, Spaulding, Turner, Veale, Weaver and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the House thereof.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Snyder,

The House went into Committee of the Whole on General Orders.

Mr. Buchan in the chair.

After some time spent in debate therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

House Bill No. 42, An act relating to the issuing of municipal bonds, and amendatory to section 3, chapter 68, session laws of 1872,

And recommend its rejection.

House Bill No. 14, An act to amend section 89, article 9, chapter 23, General Statutes of 1868, and section 2 of chapter 105 of the laws of 1872, concerning private corporations,

And recommend its indefinite postponement.

House Bill No. 55, An act to create the office of public administrator in the various counties of the State, etc.,

House Bill No. 161, An act to amend an act entitled an act to restrain dramshops and taverns, and to regulate the sale of intoxicating liquors, approved March 3, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 231, An act to amend sections 704, 705, and 707 of an act to establish a code of civil procedure, chapter 80 of the General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 236, An act to amend section 87, chapter 36, laws of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 219, An act entitled an act to amend section 473 of an act entitled an act to establish a code of civil procedure,

Have had the same under consideration, and instruct me

to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 194, An act to amend sections 59, 61 and 63 of an act to establish a code of civil procedure, approved February, 25, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Substitute for House Bill No. 201, An act relating to the lost records and proceedings in the county of Washington,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

A. J. BANTA,  
*Chairman.*

Mr. DeForrest, Chairman of the Special Committee to visit the State Normal School at Emporia, submitted the following report:

MR. SPEAKER: Your Special Committee appointed, to visit the State Normal School at Emporia, beg leave to make the following report:

That they were met at the depot by the three members of the Board of Directors, resident at Emporia, and escorted to the school, where they found a handsome and commodious building erected with the money appropriated last year, evincing in its construction and finish, care and economy on the part of the Superintendent and Board of Directors.

Owing to some delay of the parties furnishing the heating apparatus, the building was not entirely completed, but the Directors assured your Committee that it would be ready for use in about two weeks. The building is calculated to accommodate from two to three hundred scholars, and in the arrangement of recitation, society, reception and cloak rooms, economy of space and convenience to the occupants have been carefully studied.

Your Committee further report that in excess of the fifty thousand dollars appropriated by the State and the ten thousand dollars of bonds voted by the citizens of Emporia, for which there was received in cash eight thousand eight hundred dollars, the building has cost three thousand and four and 50-100 dollars, (\$3,004.50), as follows:

Contract for building and finishing.....	\$49,400 00
Contract for heating apparatus.....	8,754 50
Plans, specifications and superintendence.....	2,550 00
Changes in plans, denominated extras .....	1,100 00
	<hr/>
	\$61,804 50
Appropriations of State and city.....	58,800 00
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Balance.....	\$3,004 50

Which balance, in the opinion of your Committee, should be provided for in an appropriation. Your Committee, upon a careful examination of the requirements of the institution looking to a tenatable condition of the building and providing for the current expenses of the coming year, recommend an appropriation covering the following items:

Scholars' seats and desks and teachers' desks.....	\$1,500 00
Cistern (1,500 gallons).....	275 00
Paving and drainage.....	650 00
Furnishing laboratory.....	250 00
Shelving for library and museum.....	150 00
Shades or inside blinds.....	1,000 00
Salary of professor and teachers.....	8,500 00
Salaries of engineer and janitor....	1,000 00

Catalogue and advertising.....	\$ 200 00
Fuel and lights.....	500 00
Library .....	150 00
Apparatus.....	150 00
Mileage and per diem of board.....	150 00
Insurance on \$40,000 at one and one-fourth per cent	500 00

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Total.....\$14,975 00

Your Committee are pleased to be able to report the school in a thriving condition, and believe that the increased facilities offered by the new building, will rapidly increase the number in attendance, and become a lasting honor and credit to the State.

H. C. DeFOREST,  
FRANK BACON,  
N. WEAVER,

*Committee.*

Mr. Baker moved that the report be printed and

Referred to the Committee on Ways and Means.

Which motion prevailed.

Mr. Bowron, Chairman of the Committee on Elections, made the following report:

MR. SPEAKER: Your Committee find, on examination of the papers on file in the office of Secretary of State in regard to Rooks county, there was no organization of said county previous to the general election held November 5th, 1872. But that said county was duly organized November 26th, 1872, and an election held December 31st, 1872. And at such election Mr. McNulty, now the sitting delegate, received 90 votes and Mr. Taylor 58 votes.

McNulty's majority 32.

M. B. BOWERS,

*Chairman.*

Also the following report in regard to the organization of Ford county:

**MR. SPEAKER:** The Committee on Election, upon examination of the papers referred to them in relation to the claims of M. V. Cutler, of Ford county, Kansas, to a seat upon this floor as a Representative of said county, would report that we find that said Ford county had no legal organization at the time of the holding of the last general election; and that the Governor's proclamation organizing said Ford county has not been promulgated at all:

Therefore your Committee are clearly of the opinion that Ford county is not entitled to representation upon the floor of this House.

**M. B. BOWERS,**  
*Chairman.*

Also the following report in relation to Pawnee county:

**MR. SPEAKER:** Your Committee, to whom was referred the case of contest in Pawnee county, between Rodgers and Booth, claiming seats in the Legislature, beg leave to report the following facts:

1st. Upon the advice of Hon. A. L. Williams, Attorney General, and member of the Board of State Canvassers, decided not to canvass the vote of Pawnee county, and hence no certificate of election was issued to either of the parties claiming a seat in the House.

2d. The organization of the county of Pawnee was made and completed in the city of Topeka on the fourth day of November, 1872, and the pretended election held in said county on the following day (November 5th) was without any notice to the people of the county, and evidently shows that the will of the people could not have been fully and properly expressed at the said election, occurring the day after the organization.

And hence your Committee report that neither of the persons claiming seats under said pretended election are entitled to be admitted as members or delegates in this Legislature. But should this House decide to respect the will of the people as so expressed in said election, then your Committee

would recommend that Mr. Rodgers be entitled to the seat for the reason that he, (Mr. Rodgers,) received 108 votes, and Mr. Booth but 35 votes.

M. B. BOWERS,  
F. E. SIMPSON,  
CHAS. H. TITUS.

*Committee.*

Mr. Gillespie moved to adopt the report in regard to Pawnee county.

Mr. Motz presented a minority report from the Committee on Pawnee county.

MR. SPEAKER: The undersigned of the Committee on Elections, to whom was submitted the question of the relative right of Henry Booth and Samuel Grant Rodgers to a seat in the House of Representatives from Pawnee county, have the honor to submit the following report:

1st. We find that Pawnee county was duly organized at the date of the general election in November, 1872.

2d. That said county had been, at the date of said election, duly divided into two townships and one voting precinct established in each, and that the voting precinct in one of said townships was at Fort Larned, and in the other at Larned City.

3d. That an election was duly held on the day of said general election in said county, and at said election Henry Booth received a majority of all the votes cast for representative at the two legally established precincts, and that Samuel Grant Rodgers did not receive any votes cast in said precinct.

4th. That on the day of said general election, a large number of men were in the employ of the Atchison, Topeka & Santa Fe Railroad Co., upon the line of its road through said county of Pawnee; that the said persons were not legal residents of said county at the date of the general election, being there temporarily, and with the intention of removing westward with said road; that no families were with them,

and they have since moved westward; that the said persons had their headquarters at a place called Camp Criley, which place was situated in Larned City, the township voting place being at Larned City; that on the day of said general election, about 11 o'clock A. M., certain of aforesaid persons in the employ of the Atchison, Topeka & Santa Fe Railroad Co., pretended to organize themselves into an election board at Camp Criley, and received the votes of others of said employes or railroad hands until about 4 o'clock P. M. of said day, when the persons who were acting as judges and clerks of said pretended election, got aboard of a railroad train without ballot boxes and poll books, and proceeded west twelve miles to a locality called "Siding No. 2," at which place they opened the ballot box and received votes of other railroad hands, and did not return to Camp Criley until 9 o'clock P. M. of said day.

5th. That there was no voting precinct at said Camp Criley; that none of the said pretended judges and clerks of election were legal voters at that date; that said pretended judges and clerks were not legally sworn as said officers; that no returns of said pretended election were ever made to any proper person or authority, and that the said pretended election was wholly fraudulent and void, and but four of the votes cast at said pretended poll were legal voters in said county.

6th. That the said Samuel Grant Rodgers was not at said time of general election a legal voter of Pawnee county, and was not a legal resident of the State of Kansas.

7th. That Henry Booth is entitled to per diem and mileage.

STATE OF KANSAS, SECRETARY OF STATE'S OFFICE, }  
TOPEKA, February 13, 1873. }

I, W. H. Smallwood, Secretary of State of the State of Kansas, do certify that it appears from documents on file in my office that Pawnee county was duly organized at the date of the general election in November, 1872, and that the election returns on file in my office from said county, show that



Henry Booth received a majority of all the votes cast for representative in said county ; that the reason the said votes were not canvassed by the Board of State Canvassers, and a certificate of election issued to Henry Booth as Representative, was on account of an informality in the manner of certifying said votes.

In testimony whereof I have hereunto subscribed my name and affixed the great seal of the State.

Done at Topeka this 13th day of February, A. D. 1873.

[SEAL.]

W. H. SMALLWOOD,  
*Secretary of State.*

Mr. Hoesman moved to adopt the minority report.

Mr. Veale moved that by the sense of this House these three counties are not entitled to per diem and mileage.

Mr. Veale asked consent to withdraw his motion.

Mr. Lanter moved that the first part of the majority report be adopted.

Mr. Snyder moved to renew Mr. Veale's motion as above given.

Mr. Lanter moved that the previous question be taken up.

Which motion prevailed.

The question being upon the motion of Mr. Snyder,

The motion was lost.

The question being upon the motion of Mr. Hoesman to adopt the minority report,

The motion was lost.

The motion of Mr. Gillespie to adopt the majority report as amended by Mr. Lanter, was read.

Which motion prevailed.

Mr. Gillespie moved that Mr. Rodgers be entitled to his per diem and mileage.

Which motion was lost.

Mr. Bishop moved that Mr. McNulty, of Rooks county, be allowed per diem and mileage.

Mr. Titus moved to lay the motion on the table.

Which motion prevailed.

The majority report in regard to Ford county was taken up and,

On motion, was adopted.

Messrs. McNulty, Booth and Rodgers were allowed pay up to the time of the adoption of a resolution in regard to pay of extra members.

Mr. Lanter moved that it was the sense of the House that no money should be appropriated to pay the fees in contest cases.

Which motion prevailed.

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#### REPORTS OF SPECIAL COMMITTEES.

Mr. Davis presented the minority report of Special Committee to visit the State Normal School at Emporia, and moved that it be printed with the majority report.

Which motion prevailed.

MR. SPEAKER: The minority of the Special Committee appointed to visit and inquire into the condition of the State Normal School at Emporia, would respectfully submit the following report:

It is due to the Superintendent and Directors of the institution to say that there has been a very judicious, and strictly economical expenditure of the appropriation of the last session of the Legislature for the erection of the new building for the State Normal School at Emporia, and that

they fitly merit the approbation of the Legislature, and all lovers of intellectual culture, for their diligent application and watchful attention during the construction of the building.

It is one eminently fitted in all its parts to the purposes of its design: It is beautiful in structure, substantial in material, and reflects credit alike upon the architect and the workmen; and is an ornament to the young and thriving city of Emporia, and a credit to the State of Kansas.

The institution has a corps of good, efficient and well qualified professors, whose highest aim is to raise the standard of education, and send throughout the State well qualified professional teachers.

In order to secure this end, it is not only necessary that this institution should be well patronized, but it should first be provided with liberal means to place it on a working basis.

The former appropriations for text books, laboratory, chemical and philosophical apparatus, were judiciously expended and properly appreciated, but was found insufficient for the actual necessities of an institution of this grade.

It is difficult for the student to obtain accurate knowledge of philosophy and practical chemistry, and to make a rapid advancement in science without the necessary aids. Therefore we should be as liberal in supplying the means to the end as the necessity requires.

The time has arrived when the civilized world is awakening to the value and necessity of intellectual and moral culture.

It is not known that our educational institutions underlie and form the basis of our national superstructure. They are, and will, if properly encouraged, continue to be the foundation of the most magnificent edifice that genius could design or art construct. It is true that in our appropriations for literary institutions, we should be frugal as well as gener-

ous. But there should be a line of distinction drawn between economy and parsimony.

Let us be careful when we bestow the public money of our State in the several appropriations that we do not, by our parsimony, cripple her educational interests.

After a careful examination of the Normal School building, and a tolerably thorough investigation of the condition of the school as set forth by the published report of the officers, the minority would call your attention to the following exhibit as the minimum requisite and necessary for the coming year to place the Normal School at Emporia upon a respectable and efficient working basis:

Cost of building and heating apparatus, in excess of appropriation of 1872.....	\$3,004 50
Desks, seats and tables (already purchased).....	1,750 00
Cistern.....	275 00
Furnishing library.....	500 00
Necessary drainage to protect building.....	650 00
For inside blinds, (window).....	2,000 00
Casing and shelving library rooms.....	300 00
Furnishing office and reception room.....	400 00
Bell and hangings.....	500 00
Salaries for professors.....	10,500 00
Salaries for janitor and foreman.....	1,000 00
Catalogue and advertising.....	300 00
Fuel and light.....	500 00
Text books.....	250 00
Insurance on \$40,000, at 1½ per cent.....	500 00
Mileage of directors.....	150 00
Repairs on old building.....	500 00
Improvement of ground.....	900 00
Total.....	\$23,979 50

All of which is respectfully submitted.

W. B. DAVIS.

Mr. Bell submitted the report of the Special Committee to visit the Deaf and Dumb Asylum.

Which was ordered printed.

**MR. SPEAKER:** Your Special Committee appointed to visit the Asylum for the Deaf and Dumb, beg leave to report that they reached Olathe at noon on Friday, the sixth inst., and remained until next day at 10 o'clock.

Your Committee was met by Geo. H. Lawrence and Samuel T. Durkee, resident trustees, (the former treasurer,) who offered every facility for a careful inspection of the institution.

The principal, Prof. Louis H. Jenkins, occupied the afternoon in explanation of daily exercises and exhibitions of the proficiency of the pupils and instructors.

The steward, Mr. Thos. E. Milhoan, and matron, Mrs. Sarah Milhoan, conducted your Committee to every department of the institution, and exhibited in detail its condition, and so far as possible, the manner of conducting their departments.

Your Committee gave attention to all that the officers and employes communicated, and examined carefully into the advantages and disadvantages of the locality, its healthfulness, and future wants.

We are pleased to be able to report the institution in a prosperous and promising condition through the care and devotion of those in charge, notwithstanding the almost insurmountable disadvantages of small, ill-ventilated apartments, miserable furniture, and total want of apparatus.

In their report to the Governor the trustees estimate that an appropriation of \$18,900 will be necessary to defray the current expenses of 1873, and \$454.58 to pay balance of indebtedness for the year 1872. We have no hesitancy in saying that these estimates have been made with strict economical consideration, and earnestly recommend corresponding appropriation.

We have no hesitancy in reporting the present accom-

modations wholly inadequate, and heartily endorse what the trustees and principal say in their report on this subject. No public school in the State probably has worse accommodations, not even excepting our country schools, than has this State institution. Many of the rooms have to answer double purposes at great inconvenience, there being no possible place to accommodate a sick pupil, no chapel nor bath room. The attic, or fourth story, is used for the boys' sleeping apartment, and thirty-five are lodged there nightly in a space too small for ten, if the laws of health are consulted. We were shown a room ten by sixteen feet, where fourteen little girls sleep nightly. If the very steep, narrow stairway should catch fire while these rooms are occupied, the result could not be otherwise than dreadful. We would therefore earnestly recommend that liberal appropriations be made for the erection of new buildings, for furniture and apparatus for the accommodation of this institution in a style corresponding with the other State institutions.

As shown by the State Auditor's report, there are about 250 mutes in the State of Kansas; of these only 65 are under State instruction at the present time, and this is far above the proper limits of the accommodations. Others are constantly seeking admittance, 18 being now in correspondence for that purpose.

It was a matter of surprise to your Committee to find that no provisions had yet been made for instruction in the industrial arts. During the proper season a knowledge of gardening is imparted by exercises in the grounds; but during the winter months, and at this time, the entire industrial interests of the institution are centered in a little colored boot black. No room could now be assigned to this very important part of mute education; but the present building would be admirably suitable for shops, laundry, bakery, etc., in case a new building should be erected.

Your Committee are of the opinion that the greatest objection to the locality has been entirely removed by the

excellent well of water which has been secured on the grounds. In case the appropriation for a wing of a new building is made, we would recommend that the present superintendent be *ex-officio* a member of the building committee, as his knowledge and experience might be necessary in adapting the new building to future wants, and the conversion of the old building to the various economical purposes for which it is adapted.

A careful examination of the locality certainly will satisfy any one as to its suitability for such a purpose. The wants of the inmates can be supplied as cheap as anywhere in the State; the various railroads make it accessible, and no local influence could be discovered influencing the health or morals of the inmates unfavorably.

The healthful appearance of the pupils, with their homelike cheerfulness and genteel deportment, are the first impressions of a visitor to the institution, indicating a faithful discharge of duties by those who have this important State trust in charge.

All of which is respectfully submitted.

MAURICE S. BELL, *Ch'n.*  
THOMAS MORGAN,  
CHAS. H. TITUS,  
DAVID ADAMS,  
S. J. LANGDON,  
THOMAS JAMES,  
J. K. McLEAN,  
*Committee.*

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MESSAGES FROM THE SENATE.

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 34, Relating to the Miami Indian Lands,

Senate Concurrent Resolution No. 33, Memorializing Congress relating to public buildings at Topeka.

GEO. C. CROWTHER,  
*Secretary.*

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has adopted

Senate Concurrent Resolution No. 35, Relating to an appropriation.

And has passed

Senate Bill No. 17, An act with reference to cities of the first class.

And has failed to pass

House Bill No. 6, An act to remit the penalty on unpaid taxes in certain cases.

GEO. C. CROWTHER,  
*Secretary.*

On motion of Mr. Baker,

House Bill No. 7,

Was recommitted to the Committee of the Whole House.

Mr. Sxeton offered the following resolution:

WHEREAS, At the Joint Convention for the election of United States Senator, Col. York, a Senator from the 24th district, made statements to the effect that he knew of certain members of this House who had Pomeroy's money burning in their pockets, and at the proper time he would point them out, and,

WHEREAS, He has yet failed to designate such members as the members of this House and the people of this State were led to expect from his statements; therefore,

*Be it resolved,* That it is but justice to this House that he be requested to make satisfactory explanations or sustain those charges.



*And be it further resolved,* That the Sergeant-at-Arms be directed to furnish Col. York a copy of these resolutions at the earliest practicable moment.

On motion,

The resolution was adopted.

Mr. Langdon offered the following resolution :

*Resolved,* That a Special Committee of seven be appointed by the Speaker to whom shall be referred all bills relating to herd laws or the running at large of animals.

Which, on motion, was adopted.

Mr. Veale offered the following resolution :

*Resolved,* That hereafter the morning hour for the concurring of this House shall be at 9 o'clock A. M., instead of 10 o'clock.

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#### INTRODUCTION OF BILLS.

By Mr. Green.

House Bill No. 259, An act to declare certain section lines public highways,

Read first time.

By Mr. Harvey,

House Bill No. 260, An act to increase the pay of witnesses and jurors before justices of the peace, and amendatory of sections 15 and 16 of chapter 39 of the General Statutes of Kansas.

Read first time.

By Mr. Lanter,

House Bill No. 261, An act to amend section 52, chapter 102, of the General Statutes of 1868.

Read first time.

By Mr. Vickers,

House Bill No. 262, An act to amend section 18, chapter 24, General Statutes.

Read first time.

By Mr. McDermott,

House Bill No. 263, An act to amend an act entitled an act to provide for the regulation of the running at large of animals, approved February 24, 1872.

Read first time.

By Mr. O'Driscoll,

House Bill No. 264, An act to authorize school district No. 13, of Doniphan county, to issue bonds.

Read first time.

By Mr. O'Driscoll,

House Bill No. 265, An act to vacate certain streets and alleys in the town of Doniphan.

Read first time.

By Mr. James,

House Bill No. 266, An act authorizing Alice Hill, a minor, to exercise the rights of majority.

Read first time.

By Mr. Sellers,

House Bill No. 267, An act declaring section lines public highways in Wilmington township, Wabaunsee county.

Read first time.

By Mr. Legere,

House Bill No. 268, An act to provide for a herd law in the State of Kansas.

Read first time.

By Mr. Crew,

House Bill No. 269, An act to amend an act entitled an act to incorporate cities of the second class and to repeal former acts, approved February 29, 1872.

Read first time.

By Mr. Davis,

House Bill No. 270, An act for the relief of tax-payers of school district No. 9, Ottawa county, Kansas.

Read first time.

By Mr. Brinkman,

House Bill No. 271, An act to legalize and authorize the city council of Great Bend, Barton county, to issue bonds for the benefit of trade and commerce.

Read first time.

By Mr. Frazier,

House Bill No. 272, An act changing the name of Joseph Miller, of Jefferson county, State of Kansas.

Read first time.

By Mr. Lowe,

House Bill No. 273, An act to locate a State road from Lecompton to Big Springs, Douglas county, Kansas.

Read first time.

By Mr. Robinson,

House Bill No. 275, An act making appropriations for the State Normal School at Emporia.

Read first time.

By Mr. Bell,

House Bill No. 276, An act providing for a change of name for Carrie E. L. Engle.

Read first time.

By Mr. Bishop,

House Bill No. 274, An act to provide for the permanent survey of land.

Read first time.

Mr. McDermott offered a petition which was referred to the Committee on Herd Law.

On motion of Mr. Lanter,

The rules were suspended, and the bills introduced were read a second time and referred.

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BILLS ON SECOND READING.

Senate Bill No. 17, An act with reference to cities of the first class.

Read the second time, and

Referred to the Leavenworth Delegation.

House Bill No. 259, An act to declare certain section lines public highways.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

House Bill No. 260, An act to increase the pay of witnesses and jurors before a justice of the peace, and amendatory of sections 15 and 16 of chapter 39 of the General Statutes.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 261, An act to amend section 51, chapter 102, General Statutes.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 262, An act to amend section 18, chapter 24, General Statutes of Kansas.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

House Bill No. 263, An act to amend an act entitled an act to provide for the regulation of the running at large of animals, approved February 24, 1872.

Read the second time, and

Referred to the Committee on Herd Law.

House Bill No. 264, An act to authorize school district No. 13, of Doniphan county, to issue bonds.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 265, An act to vacate certain streets and alleys in the town of Doniphan.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 266, An act to authorize Alice Hill, a minor, to exercise the rights of majority.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 267, An act declaring section lines public highways in Wilmington township, Wabaunsee county.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 268, An act to provide for a herd law in the State of Kansas.

Read the second time, and

Referred to the Committee on Herd Law.

House Bill No. 269, An act to amend an act entitled an act to incorporate cities of the second class, and to repeal former acts, approved February 29, 1872.

Read the second time, and

Referred to the Committee on Cities of the Second Class.

House Bill No. 270, An act for the relief of tax payers of school district No. 9, Ottawa county, Kansas.

Read the second time, and

Referred to the Committee on Assessment and Taxation

House Bill No. 271, An act to legalize and authorize the city council of Great Bend, Barton county, to issue bonds for the benefit of trade and commerce.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 272, An act to change the name of Joseph Miller, of Jefferson county, Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 273, An act to locate a state road from Leecompton to Big Springs, Douglas county, Kansas.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 274, An act to provide for the permanent survey of land.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 275, An act making appropriations for the State Normal School at Emporia.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 276, An act providing for a change of name of Carrie E. L. Engle.

Read the second time, and

Referred to the Committee on Judiciary.

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On motion,  
The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Beaty, Belden, Bell, Billings, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchison, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Lanter, Legere, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Tough, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

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Mr. Turner was granted leave of absence.

Mr. O'Driscoll was granted leave of absence for one week.

Mr. Bacon was granted leave of absence for ten days.

By consent,



**Mr. Banta**, Chairman of the Committee on Judiciary, submitted the following reports:

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 156, An act for the relief of certain parties therein named in regard to the purchasing of school lands,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

**A. J. BANTA,**  
*Chairman.*

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The Speaker announced the Committee on Herd Law as follows:

Messrs. Langdon, Sexton, Hutchinson, Brenner, Harvey, Huntington and Legere.

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By consent,

**Mr. McDermott** offered

Petition of citizens of Cowley county, asking for a herd law.

Which was referred to the Committee on Herd Law.

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**Mr. Jeffrey**, Chairman of the Committee on Engrossed Bills, submitted the following report:

**MR. SPEAKER:** The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 43, 7 and substitute for 40,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

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By consent,

House Bill No. 250

Was withdrawn from the Committee on Judiciary and  
Referred to the Committee on Roads and Highways.

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BILLS ON THIRD READING

House Bill No. 43, An act to amend sections 325 and 328  
of article 16 of the code of civil procedure,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 72; nays, 6.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Dillard, Eldridge, Ensign, Fields, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Langdon, Larkin, Lanter, Legere, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Veale, Vickers, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were:

Messrs. Davis, Forsee, Kahler, Lowrey, Stratton and Wells.

Gentlemen absent or not voting were :

Messrs. Bacon, Banta, Billings, Bend, Brinkman, DeForrest, Hungerford, W. J. Hunter, Kalloch, Lane, Robinson, Ross, Spaulding, Titus, Tough, Turner, Willetts and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Substitute for House Bill No. 40, An act to amend section 28, chapter 77 of General Statutes of 1868,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 58; nays, 7.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Bowers, Bowron, Brown, Buchan, Childs, Crew, Cross, Cummings, Curtain, Dillard, Ensign, Fields, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lanter, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Reasoner, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Wells and Mr. Speaker Kellogg.

The following gentlemen voted in the negative:

Messrs. Beaty, Bishop, Brenner, Cochrane, Davis, Forsee and Frazier.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Billings, Blakely, Bond, Brinkman, Cooper, DeForrest, Eldridge, Hungerford, Hutchings, W. J. Hunter, Kalloch, Lane, Langdon, Larkin, Legere, McDermott, Plummer, Robinson, Ross, Scofield, Spaulding, Tough, Turner, Weaver and Willets.

And so a constitutional majority having voted in favor of the passage of the bill;

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 7, An act to regulate taxation in the change of boundary lines.

On motion,

House Bill No. 7

Was recommitted to the Committee of the Whole.

The consideration of

House Bill No. 81, An act relating to municipal bonds and amendatory of section 13 and 15 of chapter 68 of the session acts of 1872, and providing for the registration of the same,

Was resumed, and motion was made to recommend the passage of the bill.

Mr. Veale moved that the previous question be considered.

Which motion prevailed.

The yeas and nays were had with the following result:

Yeas, 32; nays, 47.

Gentlemen voting in the affirmative were:

Messrs. Beaty, Bell, Blakely, Brenner, Crew, Cross, Dillard, Forsee, Gillespie, Green, Harper, Harvey, Henshaw, Hutchings, James, Jeffrey, Kahler, Kalloch, Larkin, Lanter, Legere, McDonald, Morgan, Morrison, Nugent, O'Driscoll, Plummer, Searcy, Simpson, Spaulding, Stratton and Wells.

Gentlemen voting in the negative were:

Messrs. D. M. Adams, Allen, Baker, Banta, Bateman, Belden, Bishop, Bowers, Brinkman, Brown, Childs, Cochrane, Cummings, Curtain, Davis, DeForrest, Eldridge, Ensign, Fields, Frazier, Gregg, Guffy, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, Lowrey, Lowe, McDermott, McLean, G. M. Miller, Motz, Peck, Reasoner, Robinson, Sellers, Sexton, Shoemaker, Snyder, Titus, Veale, Ward, Wakefield, Weaver and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. David Adams, Bacon, Billings, Bond, Bowron, Buchan, Cooper, Funston, W. J. Hunter, Lane, Langdon, Mapes, J. W. Miller, Ross, Scofield, Shaw, Smith, Tough, Turner, Vickers and Willets.

And so the motion was lost.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Veale,

The House went into Committee of the Whole on General Orders.

Mr. Spaulding in the chair.

After some time spent in debate therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

House Bill No. 101, An act for the registry of electors, and to prevent fraudulent voting.

House Bill No. 109, An act amending section 315 of the code of civil procedure.

House Bill No. 35. An act to legalize the official acts of a township assessor and deputy assessor.

The Committee recommend that they be put upon third reading, subject to amendment and debate.

House Bill No. 106, An act to amend section 62 of civil procedure before justices of the peace in civil cases,

House Bill No. 89, An act in relation to certain officers therein named,

House Bill No. 116, An act to amend an act entitled an act to amend an act regulating the jurisdiction and procedure before justices of the peace in civil cases,

And recommend their rejection.

House Bill No. 107, An act to repeal an act entitled an act in relation to road districts, approved March 1, 1872,

House Bill No. 87, An act to establish a state road through the counties of Rice, Elsworth, Lincoln Mitchell and Jowell,

House Bill No. 78, An act to authorize school district No. 1, Coffey county, to issue additional bonds,

House Bill No. 105, An act to amend section 5, chapter 88, laws of 1870,

House Bill No. 125, An act for the relief of tax payers of school district [No. 5, Neosho county, State of Kansas,

And recommend their passage.

House Bill No. 90, An act legalizing conveyances made by trustees of Geneva Presbyterian Academy,

And recommend that it be recommitted to the Committee on Judiciary.

House Bill No. 32, An act to create and establish a State road in Mitchell, Lincoln and Ellsworth counties, Kansas,

House Bill No. 112, An act supplemental to an act entitled an act to establish a code of civil procedure, approved February 25, 1868,

And recommend their indefinite postponement.

House Joint Resolution No. 3, Recommending a constitutional convention,

House Joint Resolution No. 2, Providing for a constitutional convention,

Substitute for House Joint Resolution No. 2, Providing for a constitutional convention,

And recommend that they retain their place upon the Calendar.

A. W. SPAULDING,  
*Chairman.*

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Mr. Funston moved that

House Bill No. 7

Take its place at the head of the Calendar.

Which motion prevailed.

Mr. D. M. Adams moved that

House Bill No. 208

Be made a special order of business to-morrow at 2 o'clock P. M.

Which motion was lost.

Mr. Buchan moved to strike out all bills from the Calendar that their respective Committees report their rejection or indefinite postponement.

Mr. Blakely moved to except

**House Bill No. 172.**

**Mr. Reasoner** moved to amend the amendment by limiting it to the Judiciary Committee.

The question being on **Mr. Blakely's** motion to except House Bill No. 172,

The motion was lost.

The motion recurring upon the amendment to the amendment,

The motion was lost.

The question recurring upon the original motion of **Mr. Buchan**,

The motion was lost.

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On motion,

The House adjourned.

**A. R. BANKS,**  
*Chief Clerk.*



MORNING SESSION.

FRIDAY, FEBRUARY 14, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. D. M. Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchinson, Huntington, James, Kalloch, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miljer, Morgan, Morrison, Motz, Peek, Plummer, Reasoner, Searcy, Sellers, Sexton, Shaw, Shoemaker, Smith, Stratton, Titus, Tough, Veale, Vickers, Ward, Weaver, Wells, and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Cleland

The Journal of previous day read and approved.

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REPORTS OF STANDING COMMITTEES.

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports:

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 234, An act to amend section 72 of chapter 80 of General Statutes of 1868, entitled an act to establish a code of civil procedure,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass with the accompanying substitute.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 203, An act to authorize the county commissioners of Russell county to issue the bonds of said county for the purpose of liquidating the county indebtedness and other purposes,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 189, An act entitled an act to vacate the public park in the town of Douglas, Butler county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 193, An act to authorize persons therein named to exercise the rights of majority,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 3, An act authorizing Albert A. Brown, a minor to exercise the rights of majority,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 221, An act in relation to marriage,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 187, An act to legalize the issue of certain school bonds issued by a vote of the people in school district No. 16, Douglas county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 246, An act to amend section 18 of chap-

ter 25 of the General Statutes of 1868, in reference to counties and county officers,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 253, An act to amend section 68 of the code of civil procedure,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 256, An act imposing a special jury tax on certain aliens,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 88, An act authorizing the county treasurer of Elsworth county to issue and transfer certain county funds,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

Hohse Bill No. 24, An act to amend an act concerning the location of county seats,

Have had the same under consideration, and instruct me to report the bill back to the House, with certain amendments, no legal objection being discovered.

A. J. BANTA,

*Chairman.*

Mr. Legere dissenting.

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 11, An act to amend section 2, chapter 26 of the General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that the substitute be passed.

A. J. BANTA,

*Chairman.*

Messrs. Legere and McDermot dissenting.

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

**MR. SPEAKER:** The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 101, 107, 109, 35, 125, 75 and 105,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,

*Chairman.*

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following report:

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 233, An act relating to mills and millers,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

REUBEN SMITH,

*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 190, An act to provide fish ways in mill dams,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

REUBEN SMITH,

*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 214, An act authorizing the hanging of gates on the corners of certain section line roads in Osage county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

REUBEN SMITH,

*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 212, An act to authorize the construction of a mill dam across Fall river,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

REUBEN SMITH,

*Chairman.*

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 188, An act to encourage the growth of forest trees,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

REUBEN SMITH,  
*Chairman.*

Mr. Miller, Chairman of the Committee on Assessment and Taxation, submitted the following report:

**MR. SPEAKER:** The Committee on Assessment and Taxation, to whom was referred

House Bill No. 270, An act for the relief of tax payers of school district No. 9, Ottawa county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. W. MILLER,  
*Chairman.*

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports:

**MR. SPEAKER:** The Committee on Roads and Highways, to whom was referred

House Bill No. 241, An act to establish a State road,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

**MR. SPEAKER:** The Committee on Roads and Highways, to whom was referred

House Bill No. 248, An act supplemental to an act entitled an act in relation to fences, General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

Mr. Plummer, Chairman of the Committee on Education, submitted the following reports :

MR. SPEAKER: The Committee on Education, to whom was referred

Senate Bill No. 20, An act relating to school lands,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

W. S. PLUMMER,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 258, An act to amend section 36 of the school laws,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

W. S. PLUMMER,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 242, An act authorizing an enumeration of persons of school age in Jewell county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass."

W. S. PLUMMER,  
*Chairman.*



**MR. SPEAKER :** The Committee on Education, to whom was referred

House Bill No. 228, An act to amend an act for the regulation and support of common schools,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

**W. S. PLUMMER,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Education, to whom was referred

House Bill No. 179, An act to amend section 4 of chap 86 of Statutes of 1869,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

**W. S. PLUMMER,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Education, to whom was referred

House Bill No. 257, An act for the investment of the permanent school fund of this State in real estate security,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

**W. S. PLUMMER,**  
*Committee.*

**MR. SPEAKER:** The Committee on Education, to whom was referred

House Bill No. 185, An act to distribute the railroad tax in counties for building said road equally as per population of said counties and school districts,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

W. S. PLUMMER,

*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

The petition in reference to schools,

Have had the same under consideration, and instruct me to report the petition back to the House with the recommendation that it be rejected.

W. S. PLUMMER,

*Chairman.*

Mr. Fields, Chairman of the Committee composed of the Leavenworth delegation, submitted the following reports:

MR. SPEAKER: The Special Committee of the Leavenworth delegation, to whom was referred

House Bill No. 245, An act providing for certain improvements in Leavenworth county,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

H. C. FIELDS,

*Chairman.*

MR. SPEAKER: The Special Committee of the Leavenworth delegation, to whom was referred

Senate Bill No. 17, An act with reference to cities of the first class,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

H. C. FIELDS,

*Chairman.*

Mr. Langdon, Chairman of the Committee on Federal Relations, submitted the following report:

**MR. SPEAKER:** The Committee on Federal Relations, to whom was referred

House Joint Resolution No. 1, Asking for the establishing of a territorial government for the Indian Territory,

Have had the same under consideration, and instruct me to report the petition back to the House with the recommendation that it be printed.

S. J. LANGDON,  
*Chairman.*

**MR. SPEAKER:** The Committee on Federal Relations, to whom was referred

The circular relating to the Florida ship canal,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

S. J. LANGDON,  
*Chairman.*

**Mr. Wakefield,** Chairman of the Committee on Claims, made the following report :

**MR. SPEAKER:** The Committee on Claims, to whom was referred

The memorial of Thompson Brothers, with accompanying papers,

Have had the same under consideration, and instruct me to report that in the opinion of the Committee there is no cause for any action of this Legislature in regard to them, and recommend that they be returned.

W. WAKEFIELD,  
*Chairman.*

**Mr. McDermott,** Chairman of the Committee on Militia, made the following report :

**MR. SPEAKER:** The Committee on Militia, to whom was referred

House Bill No. 151, An act supplemental to an act to pro-

vide for the settlement and assumption of the Price Ratio Claims of 1864, and the Indian expedition under Major General Curtis in July and August, 1864, approved February 19, 1869,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

JAMES McDERMOTT,  
*Chairman pro tem.*

MR. SPEAKER: The Committee on Militia, to whom was referred

House Bill No. 129, An act to provide for the recording of soldier's discharges,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

JAMES McDERMOTT,  
*Chairman pro tem.*

Mr. Veale, Chairman of the Special Committee, made the following report:

MR. SPEAKER: The Special Committee, to whom was referred

House Bill No. 207, An act to authorize the county commissioners of the counties of Shawnee and Wabaunsee to make appropriation for the building of a bridge across the Kansas river,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed with the amendment striking out the words "and required" in the first section of the bill.

G. W. VEALE,  
*Chairman.*

Mr. Veale, Chairman of the Committee on Ways and Means, submitted the following report:

**MR. SPEAKER:** The Committee on Ways and Means, to whom was referred

House Bill No. 222, An act to authorize the Governor of the State of Kansas to purchase and distribute wheat, corn, flour and bacon, to destitute citizens on the western frontier,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

G. W. VEALE,

*Chairman.*

**MR. SPEAKER:** The Committee on Ways and Means, to whom was referred

House Bill No. 123, An act to appropriate fifty-one dollars to R. V. Kennedy,

Have had the same under consideration and have instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, provisions having been made in appropriation for miscellaneous expenses.

G. W. VEALE,

*Chairman.*

**Mr. Reasoner** offered report of Special Committee to visit the Blind Asylum :

**MR. SPEAKER:** Your Committee appointed to visit the Blind Asylum, at Wyandotte, proceeded thither on Saturday the eighth instant.

The institution, situated about a mile from the town, was speedily reached by the Committee.

Visitors were not expected at the time, nevertheless the internal condition of the building was found to be very good. The rooms were neat and clean ; the cellars dry and well preserved ; the reserve supply of provisions ample ; the tables well supplied with wholesome food in good variety.

The scholars seemed to be happy and cheerful ; the lady teachers, three in number, are cultivated and competent ; the

superintendent is christianly, gentlemanly and courteous; the matron seems fully able to perform the numerous duties falling to her lot.

The scholars seem to be making good progress in the various departments; and it is certainly gratifying to find that children so completely debarred from the ordinary means of culture, can attain, nevertheless, a mental and moral development which fits them to perform an important part in life.

The lack of books and apparatus doubtless prevents the attainment of the best results. This want can be supplied at a cost of a few hundred dollars, and it should be done immediately.

The building erected for the education of the blind is a good one in itself, but is not very well adapted to the ends for which it was designed. The heating apparatus is very poor, and during the coldest weather it is impossible to make the greater portion of the house comfortable. This defect should be promptly and adequately remedied.

The average attendance throughout the year would be about twenty. There should be twice this number attending this institution. In order to accommodate this number, it may be necessary to make some changes in this building, in order to enlarge its reception capacity. Some such changes are indicated in the report of the superintendent, and appropriations asked therefor.

A considerable amount of dissatisfaction has been reported to the Governor in regard to the management of this institution, and some complaint is made in the locality of the school itself. The Committee took great pains and thorough methods, so far as time permitted, to ascertain the nature and grounds of this dissatisfaction.

So far as we can learn, we are unable to say that these complaints imply defective government of the school or improper rules for its internal management.

It might be in place to say that an institution of this

kind should be managed by persons of large sympathy, and generous, self-sacrificing nature; that it should be managed with the good of the unfortunate in view, as an all-absorbing inspiration, that the key-note of the whole service should be, "Tis more blessed to give than receive."

When our institutions are managed in this spirit, without pedantry, parsimony, formality or hypocrisy, there will be but little complaint, and no ground for any dissatisfaction.

Your Committee are inclined to recommend a centralization of our several charitable institutions, including the Blind Asylum. We would not wish to intimate that the people living in these respective localities are unfriendly to the institutions in their midst, but several of them are of kindred nature, and would mutually enhance each others' growth and prosperity; and by placing them in more immediate relationship with the State government, there would grow up more sympathy and co-operation, and expensive and inadequate visitations would be obviated.

C. REASONER, *Ch'n.*

JOHN CURTAIN,

A. J. VICKERS,

C. W. HARVEY,

*Committee.*

J. C. LEGERE,

*Secretary*

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RESOLUTIONS CONSIDERED.

Mr. Buchan offered the following resolution:

*Resolved*, That all bills reported upon by the several Standing Committees unfavorably, be placed at the foot of the Calendar in regular order.

On motion,

The resolution was adopted.

Mr. Blakely offered the following resolution:

*Resolved*, That the Governor be requested to furnish such information as he may possess in reference to the duties, location of office and records, and whereabouts of the State Land Agent, and whether such office cannot be abolished without detriment to the interests of the State.

On motion,

The resolution was adopted.

Senate Concurrent Resolution No. 34, Instructing our Senators and Representatives to assist the settlers upon the Miami Indian lands,

Was read and adopted.

Senate Concurrent Resolution No. 33, Memorializing Congress relating to public buildings at Topeka,

Was read and adopted.

Senate Concurrent Resolution No. 35, Relating to an appropriation,

Was read and adopted.

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#### INTRODUCTION OF BILLS.

By Mr. Childs,

House Bill No. 277, An act to amend sections 601 and 658, of chapter 80 of the General Statutes.

Read first time.

By Mr. Cummings,

House Bill No. 278, An act vacating the public square in Elk Falls, Howard county.

Read first time.

By Mr. Cummings,

House Bill No. 279, An act regulating the interest of money.



Read first time.

By Mr. Cummings,

House Bill No. 280, An act to amend an act entitled an act to enable school district in the State of Kansas to issue bonds.

Read first time.

By Mr. Kalloch,

House Bill No. 281, An act providing for an arbor day and relating to the planting of trees.

Read first time.

By Mr. Langdon,

House Bill No. 282, An act to amend an act entitled an act to provide temporary buildings for an asylum for the deaf and dumb, and for the organization thereof.

Read first time.

By Mr. James,

House Bill No. 283, An act supplemental to an act entitled an act amendatory and supplemental to chapter 89 of the General Statutes of 1868, approved March 21st, 1872.

Read first time.

By Mr. James,

House Bill No. 284, An act for the relief of Johnson county.

Read first time

By Mr. D. M. Adams,

House Bill No. 285, An act supplemental to an act entitled an act to authorize counties, incorporated cities and municipal townships to issue bonds, for the purpose of building bridges, aiding in the construction of railroads, water power or other internal improvements, and providing for the registration of such bonds, the registration of other bonds and the repealing of all laws in conflict therewith, approved March 2, 1872.

Read first time.

By Mr. McLean,

House Bill No. 286, An act to vacate Wood street in Miller's fourth addition to the town of Marion Center.

Read first time.

By Mr. Hutchinson,

House Bill No. 287, An act providing for the enforcement of the law and the preservation of the peace in unorganized counties.

Read first time.

By Mr. Weaver,

House Bill No. 288, An act relating to a State road in Phillips county.

Read first time.

On motion,

The rules were suspended, and the bills just introduced were read a second time and appropriately referred.

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BILLS ON SECOND READING.

House Bill No. 277, An act to amend section 601 and 658 of chapter 80 of the General Statutes.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 278, An act vacating the public square in Elk Falls, Howard county.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 269, An act regulating the interest of money.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 280, An act to amend an act entitled an act to enable school districts in the State of Kansas to issue bonds.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 281, An act providing for an arbor day, and relating to the planting of trees.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 282, An act to amend an act entitled an act to provide temporary buildings for an Asylum for the Deaf and Dumb, and for the organization thereof.

Read the second time, and

Referred to the Committee on Public Institutions.

House Bill No. 283, An act supplemental to an act entitled an act amendatory of and supplemental to chapter 89 of the General Statutes of 1868, approved March 21, 1872.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 284, An act for the relief of Johnson county.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 285, An act supplemental to an act entitled an act to authorize counties, incorporated cities and municipal townships, to issue bonds for the purpose of building bridges, aiding in the construction of railroads, water power or other internal improvements, and providing for the registration of such bonds, the registration of other bonds and the repealing of all laws in conflict therewith, approved March 2, 1872.

Read the second time, and

Referred to the Committee of the Whole House.

House Bill No. 286, An act to vacate Wood street in Miller's fourth addition to the town of Marion Center.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 287, An act providing for the enforcement of the laws and the preservation of the peace in unorganized counties.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

House Bill No. 288, An act relating to a State road in Phillips county.

Read the second time, and

Referred to the Committee on Roads and Highways.

Senate Bill No. 17 was rejected.

Mr. Crew moved that the House adjourn until Monday at 10 o'clock A. M.

The ayes and nays being demanded,

The roll was called with the following result:

Yeas, 10; nays, 60.

The following gentlemen voted in the affirmative:

Messrs. Blakely, Crew, Kalloch, Larkin, Lowe, G. M. Miller, Motz, Plummer, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. D. M. Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Bowers, Bowron, Brinkman, Brown, Childs, Cochrane, Cummings, Curtain, Davis, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, James, Lanter, Lowrey, McDer-

mott, McDonald, J. W. Miller, Morgan, Morrison, Peck, Scofield, Searcy, Sellers, Sexton, Shoemaker, Smith, Snyder, Stratton, Titus, Tough, Veale, Vickers, Ward and Weaver.

Gentlemen absent or not voting were :

Messrs. David Adams, Allen, Bacon, Billings, Bond, Brenner, Buchan, Cooper, Cross, DeForrest, Gillespie, Green, Hutchings, J. M. Hunter, W. J. Hunter, Jeffrey, Kahler, Lane, Langdon, Legere, Mapes, McLean, Nugent, O'Driscoll, Reasoner, Robinson, Ross, Shaw, Simpson, Spaulding, Turner, Willets and Mr. Speaker Kellogg.

So the motion was lost.

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Messrs. Childs, Lane and Plummer were excused until Monday at 10 o'clock.

Mr. McLean excused until Monday at 2 o'clock.

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#### BILLS ON THIRD READING.

House Bill No. 101, An act for the registry of electors and to prevent fraudulent voting,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 29; nays, 20.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Bell, Bowers, Bowron, Brinkman, Cummings, Curtain, Davis, Dillard, Eldridge, Ensign, Forsee, Frazier, Gregg, Harper, Hutchings, James, Larkin, Legere, Lowrey, J. W. Miller, Peck, Sexton, Shoemaker, Stratton, Veale, Ward and Wells.

The following gentlemen voted in the negative:

Messrs. Baker, Bishop, Blakely, Brown, Cochrane, Crew, Green, Guffy, Henshaw, Hutchinson, Huntington, Kalloch, G. M. Miller, Morgan, Morrison, Reasoner, Sellers, Snyder, Titus, Wakefield and Weaver.

Gentlemen absent or not voting were :

Messrs. David Adams, Allen, Bacon, Banta, Bateman, Beaty, Belden, Billings, Bond, Brenner, Buchan, Childs, Cooper, Cross, DeForrest, Fields, Funston, Gillespie, Harvey, Hodges, Hoesman, Hungerford, J. M. Hunter, W. J. Hunter, Jeffrey, Kahler, Lane, Langdon, Lanter, Lowe, Mapes, McDermott, McDonald, McLean, Motz, Nugent, O'Driscoll, Plummer, Robinson, Ross, Scofield, Searcy, Shaw, Simpson, Smith, Spaulding, Tough, Turner, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote in favor of the passage of the bill,

The bill was lost.

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Mr. D. M. Adams moved that the House pass over all bills on third reading until to-morrow.

Which motion prevailed.

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#### COMMITTEE OF THE WHOLE.

On motion of Mr. D. M. Adams, the House went into Committee of the Whole for the consideration of General Orders,

Mr. Hutchings in the chair.

After some time spent therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: The Committee of the Whole House have had under consideration the following bills, and make the disposition as hereinafter named :

House Bill No. 7, An act to regulate taxation in the change of boundary lines.

The Committee have amended the same by striking out the words "heretofore or," in the first line of the second and third sections, and the words "shall have been," in the first and second lines of the fourth sections, and recommend its passage.

House Bill No. 4, An act to amend an act authorizing municipal corporate authorities to issue bonds for internal improvements, approved March 2, 1872,

And instruct me to report the same back to the House with the recommendation that it be passed as amended.

C. F. HUTCHINGS,  
*Chairman.*

On motion,

The report of the Committee was agreed to.

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Mr. Motz was appointed on the Committee to visit Wallace county, instead of Mr. McDonald, excused.

On motion,

The Committee to visit Wallace county was excused until Tuesday next.

By consent,

Mr. Helwig, Assistant Sergeant-at-Arms, was excused until Tuesday next.

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Baker, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brinkman, Buchan, Cochrane, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, Hutchison, Huntington, J. M. Hunter, Langdon, Larkin, Lanter, Legere, Lowrey, McDermott, McDonald, Morrison, Motz, Nugent, Peck, Searcy, Sellers, Shaw, Shoemaker, Smith, Snyder, Spaulding, Stratton, Vickers, Ward, Wakefield and Mr. Speaker Kellogg.

Quorum present.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate requests the return of

House Bill No. 6

For its further consideration.

GEO. C. CROWTHER,

*Secretary.*



## COMMITTEE OF THE WHOLE.

On motion of Mr. Buchan,

The House went into Committee of the Whole on General Orders.

After some time spent in debate therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

House Bill No. 57, An act to authorize the city of Independence to issue bonds of the city for the purpose of liquidating the indebtedness of the city.

House Bill No. 77, An act to amend chapter 105, Laws of 1872, section 2 of an act entitled an act to amend section 4 of chapter 23 of Laws of 1868, and section 1 of chapter 65 of Laws of 1871, concerning private corporations.

House Bill No. 108, An act amendatory of section 5 of chapter 24 of the General Statutes of 1868.

House Bill No. 41, An act to amend sections 1 and 2 of chapter 105, in relation to stock, approved March 2, 1868.

House Bill No. 86, An act to amend an act entitled an act to establish an insurance department in the State of Kansas, and to regulate the companies doing business therein, approved March 1, 1871.

Substitute for House Bill No. 91, An act to amend section 48 of the school laws of the State of Kansas.

House Bill No. 118, An act authorizing school district No. 1 of Barton county, to issue additional bonds.

House Bill No. 117, An act authorizing the county commissioners to issue and sell the bonds of Barton county.

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness.

House Bill No. 113, An act to amend sections 5, 13, 14, 29 and 30, of chapter 105, in relation to strays.

House Bill No. 182, An act to locate a State road from Larned, Pawnee county, to Hays City, Ellis county, Kansas.

House Bill No. 154, An act authorizing the board of county commissioners of Jefferson county, State of Kansas, to issue and sell the bonds of said county for the purpose of completing bridges.

House Bill No. 25, An act to declare certain section lines public highways.

House Bill No. 176, An act to vacate a part of the Eldorado and Emporia State road.

And recommend their passage.

House Bill No. 104, An act to provide for the appointment of a phonographic reporter in judicial districts.

House Bill No. 97, An act relating to county superintendents of common schools, and amendatory of section 19 of the school laws, chapter 92 of the General Statutes as amended.

House Bill No. 98, An act amending section 34, chapter 82, General Statutes of the State of Kansas.

House Bill No. 28, An act to protect travelers on railroads.

House Bill No. 114, An act to repeal all acts authorizing counties, municipal townships and cities to issue bonds to railroad companies.

House Bill No. 119, An act to provide for the security of railroad passengers in the State of Kansas.

House Bill No. 63, An act to amend chapter 23, laws of Kansas, approved February 29, 1868, concerning private corporations.

House Bill No. 64, An act concerning private corporations.

And recommend their rejection.

House Joint Resolution No. 3, Recommending a constitutional convention.

House Joint Resolution No. 2, Providing for a constitutional convention.

Substitute for House Joint Resolution No. 2, Providing for a constitutional convention.

And recommend that they be passed over and retain their place upon the Calendar.

House Bill No. 115, An act to authorize the making of deeds of trust to secure the payment of money by the grantor to a third person, with power of sale therein, and to regulate the rights of parties thereunder, and to amend section 399 of civil procedure, and repealing all laws inconsistent therewith.

And recommend that it be postponed until Monday at 2 o'clock P. M.

House Bill No. 285, An act supplemental to an act entitled an act to authorize counties, incorporated cities and municipal townships, to issue bonds for the purpose of building bridges, aiding in the construction of railroads, water power or other internal improvements, and providing for the registration of such bonds, the registration of other bonds and the repealing of all laws in conflict therewith, approved March 2, 1872.

And recommend that it be printed, and made a Special Order for Tuesday at 2 o'clock P. M.

House Bill No. 13, An act to protect and regulate the irrigation of lands.

House Bill No. 113, An act to amend sections 5, 13, 14, 29 and 30, of chapter 105, in relation to strays.

House Bill No. 62, An act in regard to street and city railroads.

And recommend their passage subject to amendment and debate.

House Bill No. 124, An act for the encouragement and protection of private capital.

And recommend that the enacting clause be stricken out.

House Bill No. 127, An act to amend chapter 39 of the General Statutes of 1868, entitled an act fixing the fees of certain officers and persons therein named.

And recommend that it be recommitted to the Committee on Judiciary.

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By consent,

Mr. Veale introduced

House Bill No. 289.

On motion the rules were suspended, and

The bill was put upon its first and second reading, and ordered placed at the head of the Calendar.

By consent,

Mr. Bowers was excused until Tuesday next.

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

MORNING SESSION.

SATURDAY, FEBRUARY 15, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. D. M. Adams, Baker, Banta, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brinkman, Brown, Cochran, Cross, Cummings, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Green, Guffy, Harper, Harvey, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, James, Kalloch, Langdon, Lanter, Lowrey, Mapes, McDermott, J. W. Miller, Morrison, Peck, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Tough, Veale, Vickers, Ward, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Baldrige.

On motion of Mr. Kalloch,

The reading of the Journal was dispensed with.

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By consent,

Mr. McDermott withdrew

House Bill No. 263.

By consent,

Messrs. Henshaw and Spaulding were granted leave of absence.

## PETITIONS PRESENTED.

Mr. Davis presented

Petition for a State road from Concordia to Brookville.

Referred to the Committee on Roads and Highways.

## REPORTS OF STANDING COMMITTEES.

Mr. Kalloch, Chairman of the Committee on Railroads, submitted the following reports :

MR. SPEAKER: The Committee on Railroads, to whom was referred

House Bill No. 50, An act to amend certain specified sections of chapter 150 of the session acts of 1871, being an act amendatory and supplemental to an act to provide for the assessment and collection of taxes, approved February 27, 1868, approved March 4, 1869,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

I. S. KALLOCH,  
*Chairman.*

MR. SPEAKER: The Committee on Railroads, to whom was referred

House Bill No. 91, An act to regulate the freight tariffs on railroads,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

I. S. KALLOCH,  
*Chairman.*

MR. SPEAKER: The Committee on Railroads, to whom was referred

House Bill No. 162, An act defining the liabilities of railroad corporations in certain cases, and requiring railroad corporations to fence their roads,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

I. S. KALLOCH,

*Chairman.*

Mr. Reasoner, Chairman of the Committee on the Frontier, submitted the following report :

MR. SPEAKER : The Committee on Frontier, to whom was referred

House Bill No. 287, An act providing for the enforcement of the laws and the preservation of the peace in unorganized counties,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it pass.

C. REASONER,

*Chairman.*

Mr. Hutchinson, Chairman of the Committee on Cities of the Third Class, submitted the following report :

MR. SPEAKER : The Committee on Cities of the Third Class, to whom was referred

House Bill No. 94, An act in relation to the jurisdiction police judges in cities of the third class,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

C. C. HUTCHINSON.

*Chairman.*

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports :

MR. SPEAKER : The Committee on Judiciary, to whom was referred

House Bill No. 266, An act to authorize Alice Hill, a minor, to exercise the rights of majority,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Committee.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 260, An act to increase the pay of witnesses and jurors before a justice of the peace, and amendatory of sections 15 and 16 of chapter 39 of the General Statutes,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 261, An act to amend section 52, chapter 102, General Statutes,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 31, An act to vacate town sites and additions thereto,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*



**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

Substitute for House Bill No. 237, An act to amend section 101, chapter 36, General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected, and the accompanying substitute pass.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 272, An act to change the name of Joseph Miller, of Jefferson county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 276, An act providing for a change of name of Carrie E. L. Engle,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 283, An act supplemental to an act entitled an act amendatory of and supplemental to chapter 89 of the General Statutes of 1868, approved March 1, 1872,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 277, An act to amend sections 601 and 608 of chapter 80 of the General Statutes,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Substitute for House Concurrent Resolution No. 17, Changed to joint resolution, providing for an amendment to the constitution,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, and the accompanying substitute be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 225, An act to determine the boundary line between Cherokee and Labette counties, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be referred to the Committee on County Seats and County Lines.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Concurrent Resolution No. 16, Amending section 2, article 5, of the constitution,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected, and the accompanying substitute passed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 255, An act prescribing additional duties of assessors,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Assessment and Taxation.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 254, An act providing for the registration of voters before county seat elections,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 202, An act relating to the town of Washington,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 220, An act entitled an act to amend section 88 of an act entitled an act regulatiug crimes and punishment,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

Mr. Eldridge, Chairman of the Committee on Corporations, submitted the following reports:

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 280, An act to amend an act entitled an act to enable school districts in the State of Kansas to issue bonds,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corpqrations, to whom was referred

House Bill No. 239, An act authorizing the inhabitants of the city of Independence to construct water-works,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

T. B. ELRIDGE,  
*Chairman.*

**MR. SPEAKER :** The Committee on Corporations, to whom was referred

House Bill No. 264, An act to authorize school district No. 13, of Doniphan county, to issue bonds,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

**T. B. ELDRIDGE,**  
*Chairman.*

**MR. SPEAKER :** The Committee on Corporations, to whom was referred

House Bill No. 265, An act to vacate certain streets and alleys in the town of Doniphan,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

**T. B. ELDRIDGE,**  
*Chairman.*

**MR. SPEAKER :** The Committee on Corporations, to whom was referred

House Bill No. 271, An act to legalize and authorize the city council of Great Bend, Barton county, to issue bonds for the benefit of trade and commerce,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

**T. B. ELDRIDGE,**  
*Chairman.*

**M. Miller,** Chairman of the Committee on Assessment and Taxation, submitted the following report :

**M. SPEAKER :** The Committee on Assessment and Taxation, to whom was referred

House Bill No. 30, Relating to the assessment and collection of taxes, reducing interest on purchase money of lands and lots sold for taxes from 50 per cent. to 25 per cent,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected, the subject-matter being more fully set forth in House Bill No. 180.

J. W. MILLER,  
*Chairman.*

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following reports:

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 206, An act making appropriations to aid in the development of certain Salt Springs in Sumner and Cowley counties,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

REUBEN SMITH,  
*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 249, An act to provide for the sinking of a drill at the Kansas State Penitentiary to determine the presence of coal or other mineral, and to secure an artesian well,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed.

REUBEN SMITH,  
*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 281, An act providing for an arbor day and relating to the planting of trees,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

REUBEN SMITH,

*Chairman.*

By consent,

Mr. Frazier was granted leave of absence until Monday at 2 o'clock P. M.

Mr. Mapes, Chairman of the Select Committee, offered the following report :

MR. SPEAKER: Your Select Committee, to whom was referred the investigation of accusations against H. G. Webb, Judge of the Eleventh Judicial District of the State of Kansas, beg leave to report that Judge Webb has tendered his resignation to take effect on the 21st day of February, 1873, and the same has been filed and accepted by his Excellency, the Governor; therefore, the Committee ask to be discharged from any further investigation of the case, and recommend the testimony taken in the investigation be filed by the chairman of the Committee with the Secretary of State, subject to the order of this House.

W. H. MAPES,

*Chairman.*

On motion,

The report was adopted.

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Mr. Hutchings offered the following resolution :

*Resolved*, That the Committee heretofore appointed to investigate charges against H. G. Webb, Judge of the Eleventh Judicial District, be discharged from further consideration of the subject, and that the testimony be not printed, but filed in the office of Secretary of State subject to the order of this House.

Which was, on motion, adopted.

Mr. Tough moved that the House adjourn until Monday, at 2 o'clock P. M.

Which motion was lost.

By consent,

Leave of absence was granted Mr. A. R. Banke, Chief Clerk of the House.

By consent,

Mr. Kellogg, Speaker of the House, was excused.

Mr. Ward moved the previous question.

Which motion prevailed.

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REPORT OF SPECIAL COMMITTEE.

Mr. Fields, Chairman of the Committee to visit the State Normal School at Leavenworth, offered the following report:

MR. SPEAKER: Your Committee appointed to visit the State Normal School at Leavenworth, to examine into and report the condition of the same to your honorable body, have the honor to submit the following report:

We visited said School on Friday, the 7th inst, and were shown through it by Professors Banfield and Wherrell, who explained to us the method of teaching as well as the plan upon which the school is founded. Having arrived too late to see the school in session, we remained over Sunday and visited the school again on Monday while it was in session, in order that we might see its practical workings. The State Normal School has exclusive control of the fourth story of the Morris High School building, which is divided off into seven rooms, with a capacity to comfortably seat twice the number required to be admitted to said school, which is one for each Representative and Senator. The rooms are well ventilated, and heated with a furnace apparatus. The rooms occupied by the Normal School are better adapted to the



wants of the pupils of the normal department than are any others in the building. In addition to this, the pupils of the normal department have free access to all the departments of the Morris High School. The object of this school being to furnish teachers thoroughly prepared for the work of organizing, governing and instructing in the public schools of the State, including the primary and high departments. It is organized into two distinct departments—the elementary and the advanced course. It requires three years to complete these courses, the first being preparatory, the second practical, and the third the advanced course.

In the practicing school, or experimental department, is where this plan surpasses the old system of Normal Schools, by putting the theory into practice. This school and the Morris High School co-operating together, and working in perfect harmony, gives the students of the normal department the advantage of practicing in ten different grades or departments of the model school, with an attendance of some nine hundred pupils, the design of which is to give the normal pupil teacher ample opportunity to test his or her ability to teach and to govern under the supervision of a critic, whose duty it is to notice the excellencies as well as the defect of the pupil, and give them the advantage of her knowledge and observation.

We had the pleasure of witnessing the practical workings of the plan and the method of teaching in all of the grades, including the high school and the normal department.

The students of the normal department heard the recitation of their classes in all the grades of the model school, and we assure you we were more than gratified with the result. They showed by their easy manners and readiness in imparting to others the knowledge obtained by theory, that they would become perfect in their calling and well qualified to teach in any one or all of the grades of the common schools of the State. The discipline in the school is thorough; the pupils seem to realize the importance of obedience to the

rales, thereby evincing a desire to become proficient in knowledge, thus preparing themselves for the battle of life.

The faculty of the Normal School is composed of an able and efficient corps of practical educators, who have the interests of the rising generation at heart, and who act in perfect accord with the faculty of the Morris school in everything that pertains to the educational welfare of the whole State. We desire to state here that we are of the opinion that the corp of teachers in the normal department is almost wholly inadequate for the necessities of said school, and it should have at least three more teachers. It is also of the utmost importance that it be provided with a library, text books and additional apparatus. These are essential appendages that naturally belong to a first class Normal school to make it what the wants of the people of the State demand that it should be.

There are now in attendance at the Normal School sixty-eight pupils, a large majority of whom are females. Thirteen have graduated during the past year, which shows the great work this school has accomplished for the benefit of the State, by furnishing it with competent as well as practical teachers.

The success and prosperity of the Normal School has been due, in a great degree, to the aid received from the Morris High School. In addition to what has already been stated, the city of Leavenworth has furnished a building at a cost of about eighty thousand dollars; furnished it with all the paraphernalia necessary to make it complete, including the apparatus of a laboratory. The city has also purchased, at a cost of twelve thousand dollars, a large and commodious boarding hall for the exclusive use and benefit of persons attending the Normal School, and board is provided for young ladies at \$3.25 per week, including furnished room, fuel, light and washing. Gentlemen are furnished with board at cost prices, and can secure rooms in the vicinity, so that the entire expense will be about \$4.00 per week. The report of the State School Superintendent, as well as the report of the

visitors appointed by him, corroborate all that we have stated in regard to this school, to which we would refer your careful consideration.

There is, however, an adverse opinion expressed by this report of visitors, from that of any report heretofore made, notwithstanding other visitors have gone there prejudiced against this school, but after having seen the practical advantages of the school, and the perfect harmony that existed between the two school boards, have realized the importance of the co-partnership, and concluded that Leavenworth having furnished all the capital to put into the concern, that it was but simple justice to her that her board of education should name a majority of the directors, and they have so reported. This report of visitors wants to take the appointing power out of the hands of the board of education, and place it in the hands of the Governor, Secretary of State, and State Superintendent of Public Instruction. Why the necessity of this change, when their report shows that this school is all that could be desired, and the great benefit it derives from the Morris High School, we cannot tell. If there had ever been even a jar to mar its success, then there might be some reason for a change, but as such is not the case, the law should remain as it now is, in that particular; but there are defects in said law which should be remedied.

The faculty of the Normal School submitted to us a bill to meet the exigencies of the case, and after a careful consideration of the same, we are of opinion that Senate Bill No. 30 should pass, which would cover said defects in the law.

In conclusion, we are of the opinion that it is of the first importance, that the following appropriation should be made, in order to make the State Normal School, at Leavenworth, what it should be, and we therefore recommend the same:

Six teachers.....	\$ 8,900 00
One janitor.....	250 00
One matron.....	300 00

Apparatus.....	\$ 500 00
Library.....	500 00
Text-books.....	250 00
Advertising, catalogues and postage.....	250 00
Repairs to boarding house.....	1,000 00
Stationery and supplies.....	150 00
Mileage.....	75 00

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Total.....\$12,175 00

All of which is respectfully submitted,

H. C. FIELDS,  
*Chairman.*

GEO. S. BISHOP,  
B. O'DRISCOLL,  
J. S. CREW,  
B. P. McDONALD.  
*Committee.*

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On motion,

The House adjourned till Monday at 2 o'clock P. M.

A. R. BANKS,  
*Chief Clerk.*

AFTERNOON SESSION.

MONDAY, February 17, 1873, 2 O'CLOCK P. M.

House called to order.

Speaker *pro tem.* in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. D. M. Adams, Allen, Baker, Banta, Bateman-Beaty, Belden, Bell, Bishop, Blakely, Bowron, Brenner, Brinkman, Cochrane, Cross, Cummings, Curtain, Davis, DeForrest, Eldridge, Ensign, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morrison, Plummer, Searcy, Sellers, Shoemaker, Simpson, Smith, Snyder, Stratton, Veale, Vickers, Ward, Wells and Willets.

Quorum present.

Prayer by the Rev. Mr. Blakesly.

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PRESENTATION OF PETITIONS.

Mr. Blakely offered

Petition of citizens of Ellsworth county asking that railroads be required to place fire guards along the line of their roads.

Referred to the Committee on Roads and Highways.

## REPORT OF STANDING COMMITTEE.

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following report:

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

The petition of Tim Baker and twelve other citizens of Coffey county in relation to the protection of quails,

Have had the same under consideration, and instruct me to report the petition back to the House, and say that they have reported

House Bill No. 38,

To which this petition would apply, recommending its passage.

REUBEN SMITH,  
*Chairman.*

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PETITION

*To the Senate and House of Representatives :*

The undersigned, citizens of Coffey county, Kansas, believing that the interest of agriculture demands the protection of certain birds, more especially the quail, do hereby respectfully petition your honorable bodies to pass a law making it a penal offense to kill, net, trap, or have in possession any quail or quails for the space of five years.

TIM BAKER,	PETER PRYOR,
L. GOODALL,	J. F. CAYOT,
WILLIAM CROW,	W. L. G. CROW,
JOSEPH PAIRE,	A. J. ROBINSON,
T. CAYOT,	J. J. RULLIER,
JONATHAN BETHARD,	T. P. ADAIR.

Mr. McLean presented

A petition of Lemuel G. Dodd and sixty-seven others, in relation to change of county lines in Marion county.

Referred to the Committee on County Seats and County Lines.

Mr. McLean presented

The remonstrance of John Brumbaugh and sixty-three others, in relation to change in county lines in Marion county.

Referred to the Committee on County Seats and County Lines.

The following report from the Auditor of State was received:

STATE OF KANSAS, AUDITOR'S OFFICE, }  
TOPEKA, November 30, 1872. }

*To his Excellency, THOMAS A. OSBORN, Governor of the State of Kansas:*

SIR: I have the honor to transmit to you, in compliance with the constitution and laws of the State, my annual report for the twelfth fiscal year ending November 30, 1872, embracing a correct statement of the condition of the finances of the State, and abstracts of receipts and disbursements of the several funds.

The total receipts of the Treasury during the past year, including the balances of the previous fiscal year, amount to \$1,089,249.09, and the disbursements to \$954,193.65, leaving a balance of \$138,327.65 in the Treasury on the thirtieth day of November, 1872, belonging to the several funds, as follows:

General revenue.....	\$ 371 59
Sinking fund.....	15,727 34
Interest fund.....	54,036 13
Annual school fund.....	12,698 04
Permanent school fund.....	36,494 57
Military fund.....	7,516 89
Insane Asylum.....	20

Railroad fund .....	\$ 8,210 88
Penitentiary building fund.....	3,272 01

The total liabilities and resources of the State, are as follows:

Liabilities .....	\$1,547,248 03
Resources.....	1,259,503 17

Showing an increase of our liabilities of \$144,183.03 against the preceding year. This increase is caused by the exceedingly lavish, but perhaps proper, expenditures made by our last Legislature, leaving the amount of \$201,109.04, outstanding warrants, against \$57,164.42, the previous year. However, the financial condition of the State is gratifying indeed, and with due economy and proper management, our young commonwealth may soon be relieved of all her present debts.

The delinquent taxes from 1861 to 1871 inclusive, amount to \$259,558.10; the sinking fund contains now \$135,527.34. Were the delinquent taxes paid into the treasury as they ought to be, \$400,000 of our outstanding bonds might be canceled, and thus a yearly interest of \$28,000 saved. To reach this result, it is absolutely necessary that our tax collection laws should be so formed as to compel all counties to pay into the Treasury of the State, all delinquent taxes within two years from the time such taxes were due and became delinquent. If under our present assessment and redemption laws, counties could not proceed to accomplish this result, then let the Legislature change or pass such laws which will allow a rapid collection of taxes, and which will particularly set a positive time when such collection must inure to the State and terminate. Why any of the taxes from the years 1861 to 1868 should be outstanding and due the State until now, cannot be explained or reasonably excused. If these taxes were justly levied against the property then in existence and on the tax rolls, they could have been collected as others were collected, or if erroneous, abated, but to leave them stand for ten years uncollected, shows a degree of negligence



or worthlessness of the tax system alike inexcusable. I know of no object which demands at the hands of our Legislature more careful consideration than this change in our assessment and tax laws.

In retiring from office allow me to express to the people of the State my grateful thanks for the high trust which they have reposed in me. I have, at all times, endeavored to perform the duties of my office faithfully, how well or satisfactorily I succeeded, I leave for them to decide.

I have the honor to be your obedient servant,

A. THOMAN,

*Auditor of State.*

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MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

Senate Bill No. 38, An act to legalize the organization of the Junction City and Fort Kearny Railroad Company.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate refuses to concur in

House Concurrent Resolution No. 23, Relating to railroads through the Indian Territory.

GEO. C. CROWTHER,

*Secretary.*

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Mr. Mapes offered

House Concurrent Resolution No. 24, For the protection of settlers on the Osage Indian Lands.

Laid over under the rules.

Mr. McDermott offered

House Concurrent Resolution No. 25, Relating to a post route through the Indian Territory.

Laid over under the rules.

Mr. McDonald offered

House Concurrent Resolution No. 26, Appointing a committee to report a bill for the registration of bonds.

Laid over under the rules.

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REPORTS OF STANDING COMMITTEES.

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 182, 4, 108, 154, 99, 117, 77, 87, 41, 13 and 113,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

Mr. Miller, Chairman of the Committee on Assessment and Taxation, submitted the following report:

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 180, An act to provide for the assessment and collection of taxes,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed,

With an amendment thereon noted.

J. W. MILLER,

*Chairman.*

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following report :

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 226, An act amendatory to an act declaring Hedges a legal fence,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Herd Law.

REUBEN SMITH,

*Chairman.*

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By consent,

Mr. Sexton withdrew

House Bill No. 255.

Mr. Bishop offered

House Concurrent Resolution No. 27, Proposing an amendment to the Constitution of the State of Kansas.

Mr. Harvey offered the following resolution :

*Resolved*, That the committee appointed to investigate the Budlong bond swindle of Cherokee county, be and is hereby instructed to investigate and report as to the legality of the bonds known as the Dayton bonds of Spring Valley township, Cherokee county, Kansas; said bonds are payable to the Atlantic and Pacific Railroad Company.

Which was adopted..

Mr. Hutchings offered the following resolution :

*Resolved*, That the morning session of this House shall hereafter commence at 9 o'clock.

Which was adopted.

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## INTRODUCTION OF BILLS.

By Mr. Curtain,

House Bill No. 290, An act to remove certain disabilities from certain persons therein named.

Read first time.

By Mr. Wells,

House Bill No. 291, An act to vacate certain grounds in Manhattan City, Riley county.

Read first time.

By Mr. Allen,

House Bill No. 292, An act to provide for the building of bridges.

Read first time.

By Mr. James,

House Bill No. 293, An act amendatory of the road laws of the State of Kansas.

Read first time.

By Mr. Brenner.

House Bill No. 294, An act entitled an act to amend an act to protect the people of Kansas from empiricism, and to elevate the standard of the medical profession.

Read first time.

By Mr. Bell,

House Bill No. 295, An act legalizing official acts of George M. Clay, a justice of the peace of Montgomery county.

Read first time.

By Mr. Guffy,

House Bill No. 296, An act to create the sixteenth judicial district and to provide for a judge thereof, and for holding the terms of court therein.

Read first time.

By Mr. Hutchinson,

House Bill No. 297, An act to amend section 1 of chapter 195 of the laws of 1872.

Read first time.

By Mr. Titus,

House Bill No. 298, An act to authorize school districts to remove school houses from settlers' claims or condemn an acre or more of land in certain cases.

Read first time.

By Mr. Titus,

House Bill No. 299, An act to regulate and make uniform the prices charged by railroad companies for transporting passengers, goods, wares, merchandise and other property to and from stations or railroads in the State of Kansas, declaring the duty of certain officers in relation thereto, prescribing penalties for the violation thereof, and declaring an emergency.

Read first time.

By Mr. Cochrane,

House Bill No. 300, An act to equalize taxation and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, of chapter 150 of the laws of 1871.

Read first time.

By Mr. Cochrane,

House Bill No. 301, An act in relation to animals run-

ning at large, and to amend article 3, section 5, chapter 105 of the General Statutes.

Read first time.

By Mr. McDonald,

House Bill No. 302, An act to repeal section 405 of chapter 80 of the laws of 1868.

Read first time.

By Mr. Brown,

House Bill No. 303, An act to provide for the semi-annual collection of taxes.

Read first time.

By Mr. McDermott,

House Bill No. 304, An act to amend an act entitled an act to provide for temporary buildings for the Asylum for the Deaf and Dumb, and for the organization thereof.

Read first time.

By Mr. Brinkman,

House Bill No. 305, An act to provide for the organization of Great Bend as a city of the third class.

Read first time.

On motion of Mr. Hutchinson,

The rules were suspended, and the bills just introduced were read a second time and appropriately referred.

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#### BILLS ON SECOND READING.

Senate Bill No. 38, An act to legalize the organization of the Junction City and Fort Kearny Railroad Company.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 190, An act to remove certain disabilities from certain persons therein named.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 291, An act to vacate certain grounds in Manhattan City, Riley county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 392, An act to provide for the building of bridges.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 293, An act amendatory of the road laws of the State of Kansas.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 294, An act entitled an act to amend an act to protect the people of Kansas from empiricism, and to elevate the standard of the medical profession.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 295, An act legalizing the official acts of George M. Clay, a justice of the peace of Montgomery county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 296, An act to create the sixteenth judicial district and to provide for a judge thereof, and for holding the terms of court therein.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 297, An act to amend section 1 of chapter 195 of the laws of 1872.

Read the second time, and

Referred to the Committee on Herd Law.

House Bill No. 298, An act to authorize school districts to remove school houses from settlers' claims or condemn an acre or more of land in certain cases.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 299, An act to regulate and make uniform the prices charged by railroad companies for transporting passengers, goods, wares, merchandise and other property to and from stations or railroads in the State of Kansas, declaring the duty of certain officers in relation thereto, prescribing penalties for the violation thereof, and declaring an emergency.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 300, An act to equalize the taxation and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of chapter 150, laws of 1871.

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 301, An act in relation to animals running at large, and to amend article 3, section 5, chapter 105, General Statutes.

Read the second time, and

Referred to the Committee on Herd Law.

House Bill No. 302, An act to repeal section 405 of chapter 80 of the laws of 1868.

Read the second time, and

Referred to the Committee on Judiciary.



House Bill No. 303, An act to provide for the semi-annual collection of taxes.

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 304, An act to amend an act entitled an act to provide for temporary buildings for the Asylum for the Deaf and Dumb, and for the organization thereof.

Read the second time, and

Referred to the Committee on Public Institutions.

House Bill No. 305, An act to provide for the organization of Great Bend as a city of the third class.

Read the second time, and

Referred to the Committee on Cities of the Third Class.

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By consent,

Mr. McDonald offered the following resolution:

*Resolved*, That the Committee appointed to investigate the Budlong, Cloud and Gregory bond swindle, be instructed to investigate the registering with the State Auditor of Bourbon county bonds issued to the M. K. & T. Railway Company.

Which resolution was adopted.

By consent,

Mr. Stratton was granted leave of absence.

Mr. D. M. Adams moved to pass all bills for to-day.

Which motion prevailed.

By consent,

Mr. Baker was excused until Thursday morning.

## COMMITTEE OF THE WHOLE.

On motion of Mr. D. M. Adams,

The House went into Committee of the Whole on General Orders.

Mr. J. W. Miller in the Chair. †

After some time spent in debate therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

House Bill No. 168, An act to amend section 24 of an act fixing the fees of certain officers and persons therein named, approved March 2, 1868.

House Bill No. 192, An act in relation to the State Library, and the duties of the State Librarian.

House Bill No. 166, An act to authorize Home township, Nemaha county, to issue bonds for a certain purpose and upon certain conditions therein named.

House Bill No. 143, An act to authorize School District No. 16, in Wabaussee county, to build a school house and to change the present school site.

House Bill No. 184, An act to vacate State roads in Atchison.

House Bill No. 172, An act to regulate the terms of court in the eighth judicial district.

House Bill No. 145, An act to repeal chapter 200 of the laws of 1872, entitled an act in relation to the town of Washington.

House Bill No. 144, An act to amend section 72, chapter 80, of the General Statutes of 1868, to provide for constructive service in case of change of venue.

House Bill No. 140, An act to vacate portions of the towns of Cherokee, in Crawford county, and Pawnee, and

Oldham's addition to the town of Osage, in Bourbon county, Kansas.

House Bill No. 157, An act to legalize the official acts of John McKoon of Miami county as notary public.

House Bill No. 132, An act to amend section 470, article 20 of the code of civil procedure, approved February 25, 1868.

House Bill No. 136, An act to vacate the town of Ashland, Davis county.

The Committee recommend their passage.

Substitute for House Bill No. 124, An act to amend section 1 of chapter 71 of the General Statutes of 1863.

House Bill No. 153, An act to amend section 139, article 10, chapter 25, General Statutes of 1868, entitled an act relating to counties and county officers.

House Bill No. 137, An act to amend chapter 120 of the laws of 1872, entitled an act to define the boundaries of the eighth judicial district, and to regulate the terms of court therein.

House Bill No. 159, An act to amend section 7 of chapter 68 of the laws of Kansas, approved March 2, 1872.

The Committee recommend their rejection.

House Bill No. 208, An act to provide for the issue and sale of Union military bonds of the State of Kansas, for the purpose of liquidating the indebtedness of the State assumed February 17, 1869, for the Price Raid Claims of 1864, and the Indian expedition under Major General S. R. Curtis, in July and August, 1864.

The Committee recommend that it pass, subject to amendment and debate.

Substitute for House Bills Nos. 103, 27, 34 and 121, An act declaring section lines in Wilson, Smith, Jewell, Barton and Harvey counties, State of Kansas, public highways.

The Committee recommend its passage, subject to amendment.

House Bill No. 46, An act to amend an act entitled an act to legalize building, loan and savings institutions, and to declare their acts valid, approved March 3, 1870.

House Bill No. 148, An act to amend an act concerning mortgages.

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868.

The Committee recommend that they be passed over and retain their place upon the Calendar.

J. W. MILLER,  
*Chairman.*

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By consent,

Mr. Langdon, Chairman of the Committee on Federal Relations, made the following report:

MR. SPEAKER: The Committee on Federal Relations, to whom was referred

A petition of A. Hommar and others,

Have had the same under consideration, and instruct me to report the petition back to the House with the recommendation that the accompanying bill be passed.

LANGDON,  
*Chairman.*

House Bill No. 306, An act to authorize the survey of township 21 south, of range 1 east.

Read first and second time, and

By consent,

Took its place on the Calendar in its regular order.

By consent,

Mr. Titus offered the following resolution :

WHEREAS, It having been currently reported, and so telegraphed by the associated press throughout the length and breadth of the land, that George C. Crowther, Secretary of the Senate, had admitted having in his possession six thousand two hundred dollars Senatorial conscience money, forwarded to or placed in his hands by members of this House, and,

WHEREAS, The said George C. Crowther has never officially contradicted the statement attributed to him nor in any way accounted to this Legislature for the money thereby intrusted to his care ; therefore,

*Resolved*, That it is the sense of this House that the Senate should take immediate action whereby its Secretary may be permitted to prove or disprove the statements accorded to him in connection with the Senatorial conscience fund, and that the honorable Senate will in compliance therewith, accord an act justly due the House.

*Resolved*, That the Sergeant-at-Arms of the House be and is hereby instructed to present a copy of the preceding "Whereas and Resolution," to the President of the Senate with notice of its adoption by the House.

Which was adopted.

Miss Jennie Bristol came forward and was sworn in as Assistant Engrossing Clerk of the House of Representatives.

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

## MORNING SESSION.

TUESDAY, FEBRUARY 18, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Belden, Bishop, Blakely, Bowron, Brenner, Brinkman, Brown, Childs, Cochrane, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Green, Guffy, Harper, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Lowrey, Mapes, McDermott, McLean, J. W. Miller, Morgan, Morrison, Plummer, Robinson, Searcy, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. N. R. Knox.

On motion,

The reading of the Journal was dispensed with.

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REPORTS OF STANDING COMMITTEES.

Mr. Allen, Chairman of the Committee on County Seats and County Lines, submitted the following reports:

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 225, An act to determine the boundary line between Cherokee and Labette counties, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be printed.

E. B. ALLEN,  
*Chairman.*

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 262, An act to amend section 18, chapter 24, General Statutes of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

E. B. ALLEN,  
*Chairman.*

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

House Bill No. 259, An act to declare certain section lines public highways,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed,

E. B. ALLEN,  
*Chairman.*

Mr. Cochrane, Chairman of the Minority Committee on Railroads, submitted the following report:

MR. SPEAKER: The Minority Committee on Railroads, to whom was referred

House Bill No. 50, An act to amend certain specified sections of chapter 150 of the session acts of 1871, being an act amendatory and supplemental to an act to provide for the assessment and collection of taxes, approved February 27, 1868, approved March 4, 1869,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

W. J. COCHRANE,  
*Chairman.*

W. H. MAPES,  
E. SEARCY,

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: The Committee on Enrolled Bills, to whom was referred

House Bill No. 21,

Have had the same under consideration, and instruct me to report the bill back to the House correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,  
*Chairman.*

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports :

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 278, An act vacating the public square in Elk Falls, Howard county,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be referred to the Committee on Corporations.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 284, An act for the relief of Johnson county,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommen-



dition that it be referred to the Committee on Assessment and Taxation.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 288, An act relating to a State road in Phillips county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed, by inserting sixty-six feet instead of eighty feet on the recommendation of the accompanying petition of H. W. Bean and seventy others.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

Substitute for House Bill No. 250, An act to further define the duties of township trustees,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed, and the accompanying substitute be passed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 267, An act declaring section lines public highway, in Wilmington township, Wabaunsee county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed in accordance with a petition of W. H. Coleman and fourteen others.

J. BRENNER,  
*Chairman.*

Mr. Spaulding, Chairman of the Committee on Cities of the Second Class, submitted the following reports:

MR. SPEAKER: The Committee on Cities of the Second Class, to whom was referred

House Bill No. 128, An act to amend an act entitled an act to incorporate cities of the second class, approved February 28, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. W. SPAULDING,  
*Chairman.*

MR. SPEAKER. The Committee on Cities of the Second Class, to whom was referred

House Bill No. 269, An act to amend an act entitled an act to incorporate cities of the second class, and to repeal former acts, approved February 29, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected, the subject-matter being provided for in substitute for House Bill No. 39.

A. W. SPAULDING,  
*Chairman.*

MR. SPEAKER: The Committee on Cities of the Second Class, to whom was referred

House Bill No. 39, An act to amend an act entitled an act to incorporate cities of the second class, and to repeal former acts, approved February 28, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that the accompanying substitute pass.

A. W. SPAULDING,  
*Chairman.*

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has failed to pass

House Bill No. 6, An act to remit the penalty on unpaid taxes in certain cases.

And has passed

House Bill No. 21, An act to vacate cemetery grounds in Blue Rapids City, Marshal county.

Senate Bill No. 60, An act to vacate that part of the town site of LeRoy lying south of the Neosho river.

Senate Bill No. 14, An act to amend section 28 of chapter 98, of the General Statutes.

GEO. C. CROWTHER,  
*Secretary.*

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RESOLUTIONS CONSIDERED.

House Concurrent Resolution No. 24, In reference to the protection of settlers upon Osage lands,

Was taken up and adopted.

House Concurrent Resolution No. 25, Relating to a post route through the Indian Territory,

Was taken up and adopted.

House Concurrent Resolution No. 26, Appointing a committee to report a bill for the registration of bonds,

Was taken up and adopted.

House Concurrent Resolution No. 27, Proposing an amendment to the constitution of the State of Kansas,

On motion of Mr. Hutchinson,

Referred to the Committee on Judiciary.

The Speaker announced the following as the Committee on

House Concurrent Resolution No. 26 :

Messrs. McDonald, D. M. Adams, Hutchinson, DeForest and Lanter.

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INTRODUCTION OF BILLS.

By Mr. Forsee,

House Bill No. 307, An act to vacate certain State roads in Saline county, Kansas.

Read first time.

By Mr. Forsee,

House Bill No. 308, An act for the relief of tax payers,

Read first time.

By Mr. Hutchinson,

House Bill No. 309, An act to amend section 2 of chapter 195 of the laws of 1872.

Read first time.

By Mr. Henshaw,

House Bill No. 310, An act supplemental to an act entitled an act fixing the fees of certain officers and persons therein named.

Read first time.

By Mr. Bell,

House Bill No. 311, An act for the relief of John McDonald.

Read first time.

Senate Bill No. 14, An act supplemental to an act in relation to roads and highways, embraced in chapter 89, section 28, of the General Statutes of 1868.

Read first time.

Senate Bill No. 60, An act to vacate that part of the

town site of the city of LeRoy lying south of Neosho river,

Read first time.

On motion,

The rules were suspended, and the bills just introduced were read a second time and appropriately referred.

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BILLS ON SECOND READING.

House Bill No. 307, An act to vacate certain State roads in Saline county, Kansas.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 308, An act for the relief of tax payers.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 309, An act to amend section 2 of chapter 195 of the laws of 1872.

Read the second time, and

Referred to the Committee on Herd Law.

House Bill No. 310, An act supplemental to an act entitled an act fixing the fees of certain officers and persons therein named.

Read the second time, and

Referred to the Committee on Fees and Salaries.

House Bill No. 311, An act for the relief of John McDonald.

On motion of Mr. Bell,

House Bill No. 311

Was referred to a committee of three.

Messrs. Bell, Harvey and Gillespie, were appointed as that committee by the Speaker.

Senate Bill No. 14, An act supplemental to an act entitled an act in relation to roads and highways, embraced in chapter 89, section 28 of the General Statutes of 1868.

Read the second time, and

Referred to the Committee on Roads and Highways.

Senate Bill No. 60, An act to vacate that part of the town site of the city of LeRoy lying south of the Noosho river.

Read the second time, and

Referred to the Committee on Judiciary.

Mr. Hatchings moved to reprint

House Bill No. 108, with amendments.

Which motion prevailed.

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 132, 172, 144, 157, 145, 136 and 143,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

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BILLS ON THIRD READING.

House Bill No. 289, An act making appropriations for certain persons therein named,

Was passed over till to-morrow.

Also,

House Bill No. 87, To establish a State road through the counties of Rice, Ellsworth, Lincoln, Mitchell and Jewel.

House Bill No. 78, An act to authorize school district No. 1, Coffey county, to issue additional bonds,

Was read the third time.

And the question being : Shall the bill pass ?

The roll was called with the following result :

Yeas, 63 ; nays, 2.

The following gentlemen voted in the affirmative :

Messrs. Allen, Banta, Bateman, Beaty, Belden, Bell, Blakely, Brinkman, Childs, Cooper, Crew, Cummings, Curtain Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morgan, Morrison, Peck, Plummer, Robinson, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. Snyder and Stratton.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Baker, Billings, Bishop, Bend, Bowers, Bowron, Brenner, Brown, Buchan, Cochrane, Cross, Eldridge, Harvey, W. J. Hunter, Lane, Lowe, G. M. Miller, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Searcy, Spaulding, Titus, Tough, Turner, Veale, Vickers, Ward and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 105, An act to amend section 5 of chapter 88 of the laws of 1870,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 56; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Banta, Bateman, Bishop, Blakely, Childs, Cooper, Crew, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, Peck, Plummer, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Beaty, Belden, Bell, Billings, Bond, Bowers, Bowron, Brenner, Brinkman, Brown, Buehan, Cochrane, Cross, Cummings, Curtain, Eldridge, Frazier, J. M. Hunter, W. J. Hunter, Kalloch, Lane, Legere, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Reasoner, Robinson, Ross, Scofield, Searcy, Spaulding, Tough, Turner, Veale, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 125, An act for the relief of the taxpayers of school district No. 5, Neosho county, State of Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 62; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. Allen, Belden, Bell, Bishop, Blakely, Bowron, Brown, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McLean, J. W. Miller, Morgan, Morrison, Peck, Plummer, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Titus, Vickers, Ward, Wakefield and Weaver.

Mr. Snyder voted in the negative.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Billings, Bond, Bowers, Brenner, Brinkman, Buchan, Cross, Eldridge, Funston, J. M. Hunter, W. J. Hunter, Kalloch, Lane, McDermott, McDonald, G. M. Miller, Motz, Nugent, O'Driscoll, Reasoner, Robinson, Ross, Scofield, Searcy, Spaulding, Stratton, Tough, Turner, Veale, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 35, An act to legalize the official acts of township assessor and deputy assessor,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 58; nays, 6.

The following gentlemen voted in the affirmative:

Messrs. Allen, Banta, Bateman, Belden, Billings, Blakely, Bowron, Brinkman, Brown, Childs, Crow, Curtain, Davis, De-Forrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Guffy, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, McLean, J. W. Miller, Morgan, Morrison, Peck, Plummer, Robinson, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Titus, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. Brenner, Cochrane, Cooper, Cummings, Snyder and Weaver.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Beaty, Bell, Bishop, Bond, Bowers, Buchan, Cross, Eldridge, Funston, Harper, J. M. Hunter, W. J. Hunter, Kalloch, Lane, Mapes, McDonald, G. M. Miller, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Searcy, Spaulding, Stratton, Tough, Turner, Veale, Vickers, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Substitute for House Bill No. 100, An act to amend an act entitled an act to amend certain sections of chapter 80 of the General Statutes of 1868,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 59; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. Allen, Banta, Belden, Bell, Bishop, Blakely, Brenner, Childs, Cochrane, Cooper, Crew, Cummings, Davis, De-Forrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Leger, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morgan, Morrison, Peck, Plummer, Robinson, Sellers, Sexton, Shaw, Shoemaker, Simpson, Snyder, Titus, Vickers, Wakefield, Weaver and Wells.

Mr. Lanter voted in the negative.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Bateman, Beaty, Billings, Bond, Bowers, Bowron, Brinkman, Brown, Buchan, Cross, Curtain, Eldridge, Funston, Guffy, W. J. Hunter, Kalloch, Lane, Lowrey, Lowe, G. M. Miller, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Searcy, Smith, Spaulding, Stratton, Tough, Turner, Veale, Ward Willets and Mr. Speaker Kellogg.

Mr. Hutchings moved to amend as follows:

Strike out all after the enacting clause to the word "when" in the third line, and insert:

Section 1. That section 5 of chapter 116 of the laws of 1871, is hereby amended to read as follows: Section 5. Section 315 of chapter 80 of the General Statutes of 1868, is

hereby amended so as to read as follows: Section 315. Actions shall be triable at the first term of the court after the issues therein by the time fixed for the pleadings are, or should have been made up, and when by the times fixed for the pleadings are or should have been made up during a term, such action shall be triable at that term.

The amendment was adopted.

In section 2, after the word "five" insert "of chapter 116 laws of 1871."

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed as amended, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 7, An act to regulate taxation in the change of boundary lines,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 58; nays, 10.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Banta, Bateman, Belden, Bell, Bishop, Blakely, Brenner, Childs, Cochrane, Cooper, Crew, Curtain, DeForrest, Dillard, Eldridge, Fields, Forsee, Gillespie, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, James, Jeffrey, Kahler, Langdon, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morgan, Morrison, Plummer, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Spaulding, Stratton, Titus, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Cummings, Davis, Ensign, Frazier, Harvey, J. M. Hunter, Peck, Robinson, Smith and Snyder.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Bowers, Bowron, Brinkman, Brown, Buchan, Cross, Funston, Green, Hungerford, W. J. Hunter, Kalloch, Lane, Lanter, G. M. Miller, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Tough, Turner, Veale, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 4, An act to amend an act authorizing municipal corporate authorities to issue bonds for internal improvements, approved March 2, 1872,

Was read the third time.

Mr. D. M. Adams moved to amend as follows :

In line 11, engrossed bill, between the words "thereto and or," insert "or loaning the credit."

Which was accepted.

Mr. Bateman offered the following amendment :

Provided that none but tax payers shall vote at any such election.

Which amendment was lost.

Mr. Brenner offered the following amendment :

After the words "coal beds" in the eighth line insert  
"or for the developement of coal oil wells."

Which was lost.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 35; nays, 35.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Blakely, Brinkman, Brown, Crew, Cross, Cummings, DeForrest, Eldridge, Ensign, Fields, Forsee, Frazier, Green, Guffy, Hodges, Hoesman, Hutchinson, Huntington, J. M. Hunter, James, Kahler, Langdon, Lowrey, McDermott, Plummer, Robinson, Searcy, Sellers, Simpson, Spaulding, Stratton, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. Allen, Banta, Bateman, Belden, Bell, Bishop, Bowron, Brenner, Childs, Cochrane, Cooper, Davis, Dillard, Funston, Gillespie, Gregg, Harvey, Henshaw, Hungerford, Jeffrey, Larkin, Lanter, Legere, Lowe, Mapes, McDonald, McLean, Morgan, Peck, Sexton, Shoemaker, Snyder, Titus, Ward and Weaver.

Gentlemen absent and not voting were:

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Bowers, Buchan, Curtain, Harper, Hutchings, W. J. Hunter, Kalloch, Lane, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Shaw, Smith, Tough, Turner, Veale, Vickers, Willets and Mr. Speaker Kellogg.

And so a consitutional majority having failed to vote in favor of the passage of the bill,

The bill was lost.

Mr. Dillard moved to reconsider the vote by which the bill was lost.

Mr. Lanter moved to lay the motion on the table.

Which motion was lost.

Mr. Dillard's motion to reconsider being put, prevailed.

Mr. Cochrane moved to proceed with the vote now.

Which motion was lost.

The bill was set over on the Calendar for to-morrow.

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House Bill No. 57, An act to authorize the city of Independence to issue bonds of the city for the purpose of liquidating the indebtedness of the city,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 62; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. Allen, Banta, Belden, Bell, Bishop, Blakely, Bowron, Brenner, Brown, Childs, Cooper, Crew, Cummings, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hoesman, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lowrey, Lowe, McLean, J. W. Miller, Morgan, Morrison, Peek, Plummer, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Spaulding, Titus, Veale, Ward, Wakefield and Wells.

The following gentlemen voted in the negative:

Messrs. Snyder and Weaver.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Bateman, Beaty, Billings, Bond, Bowers, Brinkman, Buchan, Cochrane, Cross, Curtain, Davis, Hodges, Hungerford, Hutch-

After the words "coal beds" in the eighth line insert  
"or for the developement of coal oil wells."

Which was lost.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 35; nays, 35.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Blakely, Brinkman, Brown, Crew, Cross, Cummings, DeForrest, Eldridge, Ensign, Fields, Forsee, Frazier, Green, Guffy, Hodges, Hoesman, Hutchinson, Huntington, J. M. Hunter, James, Kahler, Langdon, Lowrey, McDermott, Plummer, Robinson, Searoy, Sellers, Simpson, Spaulding, Stratton, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. Allen, Banta, Bateman, Belden, Bell, Bishop, Bowron, Brenner, Childs, Cochrane, Cooper, Davis, Dillard, Funston, Gillespie, Gregg, Harvey, Henshaw, Hungerford, Jeffrey, Larkin, Lanter, Legere, Lowe, Mapes, McDonald, McLean, Morgan, Peck, Sexton, Shoemaker, Snyder, Titus, Ward and Weaver.

Gentlemen absent and not voting were:

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Bowers, Buchan, Curtain, Harper, Hutchings, W. J. Hunter, Kalloch, Lane, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Shaw, Smith, Tough, Turner, Veale, Vickers, Willets and Mr. Speaker Kellogg.

And so a consitutional majority having failed to vote in favor of the passage of the bill,

The bill was lost.

Mr. Dillard moved to reconsider the vote by which the bill was lost.



Mr. Lanter moved to lay the motion on the table.

Which motion was lost.

Mr. Dillard's motion to reconsider being put, prevailed.

Mr. Cochrane moved to proceed with the vote now.

Which motion was lost.

The bill was set over on the Calendar for to-morrow.

House Bill No. 57, An act to authorize the city of Independence to issue bonds of the city for the purpose of liquidating the indebtedness of the city,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 62; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. Allen, Banta, Belden, Bell, Bishop, Blakely, Bowron, Brenner, Brown, Childs, Cooper, Crew, Cummings, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hoesman, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lowrey, Lowe, McLean, J. W. Miller, Morgan, Morrison, Peek, Plummer, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Spaulding, Titus, Veale, Ward, Wakefield and Wells.

The following gentlemen voted in the negative:

Messrs. Snyder and Weaver.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Bateman, Beaty, Billings, Bond, Bowers, Brinkman, Buchan, Cochrane, Cross, Curtain, Davis, Hodges, Hungerford, Hutch-

ings, J. M. Hunter, Kalloch, Lane, Lanter, Legere, Mapes, McDermott, McDonald, G. M. Miller, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Stratton, Tough, Turner, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 77, An act to amend chapter 105, laws of 1872, section 2 of an act entitled an act to amend section 4 of chapter 23 of laws of 1868, and section 1 of chapter 65 of Laws of 1871, concerning private corporations,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 56; nays, 5.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Banta, Belden, Bell, Bishop, Blakely, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cross, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Larkin, Legere, Lowrey, Lowe, McDonald, J. W. Miller, Morgan, Peck, Plummer, Robinson, Sexton, Shaw, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were:

Messrs. Hoesman, Mapes, Kahler, Searcy and Snyder.

Gentlemen absent or not voting were:

Messrs. David Adams, Baker, Bacon, Beaty, Bateman, Billings, Bond, Bowers, Bowron, Brinkman, Buchan, Cummings, Curtain, Davis, W. J. Hunter, Hutchings, Kalloch, Lane, Langdon, Lanter, McDermott, McLean, G. M. Miller, Morrison, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Sellers, Shoemaker, Tough Turner, Vickers, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 108, An act amendatory of section 5 of chapter 24 of the General Statutes,

Was read the third time.

By consent,

Mr. Hutchings offered the following amendment :

SECTION 2. Section six, of which this act is amendatory, is hereby amended so as to read as follows:

The county of Barton is bounded as follows:

Commencing where the east line of range 11 west intersects the third standard parallel, thence south on said line to the southeast corner of township 21 south, of range 11 west, thence west on the south line of said township to the southwest corner of township 26 south, of range 15 west, thence north on the range line to the third standard parallel, thence east on said parallel to place of beginning.

SEC. 3. Sections five and six of the act of which this is amendatory, are hereby repealed.

Which was agreed to.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 59; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. D. M. Adams, Allen, Banta, Bateman, Belden, Bell, Bishop, Blakely, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Legere, Lowe, Mapes, McDonald, J. W. Miller, Morgan, Morrison, Peck, Plummer, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Veale, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were:

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Bowers, Bowron, Brinkman, Buchan, Cross, Hutchings, W. J. Hunter, Kalloch, Lane, Lanter, Lowrey, McDermott, McLean, G. M. Miller, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Tough, Turner, Vickers, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 41, An act to amend sections 1 and 2 of chapter 105, in relation to stock, approved March 2, 1868.

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 59 ; nays, 8 .

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowron, Brenner, Childs, Cochrane, Cooper, Crew, Curtain, DeForrest, Dillard, Eldridge, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hoesman, Hutchinson, Huntington, Kahler, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, Morgan, Morrison, Plummer, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Ward, Wakefield and Weaver.

The following gentlemen voted in the negative :

Messrs. Davis, Funston, Hodges. J. M. Hunter, Jeffrey, Peck, Robinson and Veale.

Gentlemen absent and not voting were :

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Bowers, Brinkman, Brown, Buchan, Cross, Cummings, Esign, Hungerford, Hutchings, W. J. Hunter, James, Kallooh, Lane, Langdon, Lanter, McDermott, G. M. Miller, Motz, Nugent O'Driscoll, Reasoner, Ross, Scofield, Tough, Turner, Vickers, Wells, Willets and Mr. Seaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 86, An act to amend an act entitled an act to establish an insurance department in the State of Kansas, and to regulate the companies doing business therein, approved March 1, 1871,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 66; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. Allen, Banta, Bateman, Belden, Bell, Bishop, Blakely, Brenner, Brown, Coghane, Cooper, Crew, Curtain, Davis, DeForrest, Dilliard, Eldridge, Ensign, Fields, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Legere, Lowrey, Mapes, J. W. Miller, Morgan, Peck, Plummer, Robinson, Searoy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr Speaker Kellogg.

Mr. Childs voted in the negative.

Messrs. David Adams, D. M. Adams, Bacon, Baker, Beaty, Billings, Bond, Bowers, Bowron, Brinkman, Buchan, Cross, Cummings, Forsee, Hutchings, W. J. Hunter, Kalloch, Lane, Lanter, Lowe, McDermott, McDonald, McLean, G. M. Miller, Morrison, Mots, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Sexton, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. Hutchings moved to make the following the title of House Bill No. 108:

"An act amendatory of sections 5 and 6 of an act defining the boundaries of counties, approved March 3, 1868."

Which motion prevailed.

Substitute for House Bill No. 99, To amend section 48 of the school laws of the State of Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 56; nays, 1.

Gentlemen voting in the affirmative were:

Messrs. Allen, Banta, Bell, Bishop, Blakely, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Curtain, Davis, De-Forrest, Dillard, Eldridge, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Hodges, Hoseman, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Legere, Lowrey, Lowe, Mapes, J. W. Miller, Morgan, Morrison, Peck, Plummer, Robinson, Searcy, Sexton, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers and Wells.

Mr. Snyder voted in the negative.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Bateman, Beaty, Billings, Bond, Bowers, Bowron, Brinkman, Buchan, Cross, Cummings, Ensign, Gregg, Green, Henshaw, Hungerford, Hutchings, J. W. Hunter, Kalloch, Lane, Lantier, McDermott, McDonald, McLean, G. M. Miller, Motz, Nugent, O'Driscoll, Reasoner, Ross, Scofield, Sellers, Smith, Spaulding, Tough, Turner, Ward, Wakefield, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 118, An act authorizing school district No. 1, Barton county, to issue additional bonds,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 57 ; nays, 4.

The following gentlemen voted in the affirmative :

Messrs. D. M. Adams, Allen, Banta, Belden, Bell, Blakely, Brenner, Brown, Childs, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, Jeffrey, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, McDonald, McLean, J. W. Miller, Morgan, Peck, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Veale, Vickers, Ward, Wakefield and Wells.

Gentlemen voting in the negative were :

Messrs. Cochrane, Kahler, Snyder and Stratton.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Baker, Bateman, Beaty, Billings, Bishop, Bond, Bowers, Bowron, Brinkman, Buchan, Cooper, Cross, Green, Hutchings, W. J. Hunter, James, Kalloch, Lane, Mapes, McDermott, G. M. Miller, Morrison, Motz, Nugent, O'Driscoll, Plummer, Reasoner, Robinson, Ross, Scofield, Spaulding, Titus, Tough, Turner, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.



House Bill No. 117. An act authorizing the county commissioners to issue and sell the bonds of Barton county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 56; nays, 5.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Banta, Belden, Bell, Bishop, Blakely, Brenner, Cooper, Davis, DeForrest, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, Morgan, Morrison, Peck, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Stratton, Veale, Vickers, Ward, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. Cochrane, Cummings, Curtain, Dillard and Snyder.

Gentlemen absent or not voting were:

Messrs. David Adams, Baker, Bacon, Beaty, Bateman, Billings, Bond, Bowers, Bowron, Brinkman, Brown, Buchan, Childs, Crew, Cross, Green, Harvey, Hutchings, W. J. Hunter, Kalloch, Lane, Larkin, Lanter, McDermott, G. M. Miller, Motz, Nugent, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Spaulding, Titus, Tough, Turner, Willets, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

By Consent,

Mr. Brinkman was excused.

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On motion,

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

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#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. D. M. Adams, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott,

McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Ward, Wakefield, Wells, Weaver and Mr. Speaker Kellogg.

Quorum present.

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Mr. Turner was granted further leave of absence.

Pomeroy investigation committee was excused.

Mr. Brinkman was excused.

Mr. D. M. Adams moved a call of the House.

Which motion prevailed.

Mr. Hutchinson moved the further call be suspended.

Which motion prevailed.

House Bill No. 285, An act supplemental to an act entitled an act to authorize counties, incorporated cities and municipal townships to issue bonds, for the purpose of building bridges, aiding in the construction of railroads, water power or other internal improvements, and providing for the registration of such bonds, the registration of other bonds and the repealing of all laws in conflict therewith, approved March 2, 1872.

Being the Special Order for 2 o'clock,

The bill was called up, and

Mr. D. M. Adams moved to make it a Special Order for to-morrow at 3 o'clock p. m.

Which motion prevailed.

House Bill No. 101,

Being a Special Order,

The bill was taken up.

Mr. Shoemaker moved to amend as follows:

Strike out "districts and precincts" in the third line and insert "townships."

Which motion prevailed.

Mr. Lanter moved to amend as follows :

Strike out in the fourth line the words "State and city, town or township" and insert "seats," so as to make it read "county seat election."

Mr. Banta moved to strike out all after the enacting clause, and insert

House Bill No. 254, An act providing for the registration of voters before county seat elections,

Which motion was lost.

Mr. Banta moved to refer both bills to the Committee on Elections, and the bill retain its place on the Calendar.

Which motion was lost.

Mr. D. M. Adams moved to put the bill on its third reading.

Which motion prevailed.

Was read the third time.

And the question being: Shall the bill pass as amended?

The yeas and nays were had with the following result :

Yeas, 58; nays, 19.

The following gentlemen voted in the affirmative :

Messrs. D. M. Adams, Allen, Bateman, Belden, Bell, Brenner, Brown, Childs, Cochrane, Cooper, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, Kahler, Legere, Lowrey, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Nugent, Peck, Plummer, Robinson, Searcy, Sellers, Sexton,

Shaw, Shoemaker, Smith, Snyder, Titus, Veale, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were:

Messrs. Banta, Bishop, Blakely, Bowers, Buchan, Crew, Green, Hodges, Hutchinson, James, Langdon, Larkin, Lowe, McDermott, Morrison, Simpson, Stratton, Vickers and Wells.

Gentlemen absent or not voting were:

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Bowron, Brinkman, Cross, Hutchings, Jeffrey, Kalloch, Lane, Lantor, Motz, O'Driscoll, Reasoner, Ross, Scofield, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 67; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Banta, Bateman, Belden, Bell, Blakely, Bowers, Brenner, Brown, Childs, Cochrane, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hun-

ter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Leger, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Peck, Plummer, Sellers, Sexton, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bishop, Bond, Bowron, Brinkman, Buchan, Cooper, Cross, Hodges, Hutchings, Kalloch, Lane, Morrison, Motz, Nugent, O'Driscoll, Reasoner, Robinson, Ross, Scofield, Searcy, Smith, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 113, An act to amend sections 5, 13, 14, 29 and 30, of chapter 105, in relation to strays,

Was read the third time.

Mr. DeForrest offered the following amendment :

"To amend sections 5, 13 and 29 of chapter 105 in relation to strays."

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 6.

The following gentlemen voted in the affirmative :

Messrs. D. M. Adams, Allen, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Brinkman, Brown, Buchan, Cooper, Crew, Cross, Cummings, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg,

Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Legere, Lowrey, Lowe, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Nugent, Peck, Robinson, Sellers, Sexton, Shaw, Shoemaker, Simpson, Titus, Vickers, Ward, Wakefield and Wells.

Gentlemen voting in the negative were :

Messrs. Brenner, Childs, Cochrane, Curtain, Davis and Stratton.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Bowron, J. M. Hunter, Kalloch, Lane, Lanter, Mapes, McDermott, Morrison, Motz, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Searcy, Smith, Snyder Spaulding, Tough, Turner, Veale, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 13, An act to protect and regulate the irrigation of lands,

Was read the third time.

And the question being: Shall the bill pass ?

The yeas and nays were had with the following result :

Yeas, 16; nays, 59.

The following gentlemen voted in the affirmative :

Messrs. Bishop, Brown, Cross, DeForrest, Hungerford, Hutchings, Hutchinson, Legere, Lowrey, McLean, Morgan, Sexton, Smith, Veale, Ward and Wells.

Gentlemen voting in the negative were:

Messrs. D. M. Adams, Allen, Banta, Bateman, Belden, Blakely, Bowers, Brenner, Brinkman, Buchan, Childs, Cochran, Cooper, Crew, Cummings, Curtain, Davis, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Huntington, W. J. Hunter, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Lowe, Mapes, McDermott, J. W. Miller, G. M. Miller, Nugent, Peck, Robinson, Searcy, Shaw, Shoemaker, Simpson, Snyder, Stratton, Vickers, Wakefield and Weaver.

Gentlemen absent or not voting were:

Messrs. David Adams, Bacon, Baker, Beaty, Bell, Billings, Bond, Bowron, Kalloch, Lane, McDonald, Morrison, Motz, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Sellers, Spaulding, Titus, Tough, Turner, Willots and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote in favor of the passage of the bill,

The bill was lost.

---

House Bill No. 182, An act to locate a State road from Larned, Pawnee county, to Hays City, Ellis county, Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 76; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brinkman, Brown, Cochran, Cooper, Crew, Cross, Cummings, Curtain, Davis,



DeForrest, Dilliard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Plummer, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield and Wells.

Mr. Guffy voted in the negative.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Bowron, Buchan, Childs, Kalloch, Lane, Lowe, Mapes, Motz, O'Driscoll, Reasoner, Ross, Scofield, Tough, Turner, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 154, An act authorizing the board of county commissioners of Jefferson county, State of Kansas, to issue and sell the bonds of said county for the purpose of completing bridges,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 69 ; nays, 2.

Gentlemen voting in the affirmative were :

Messrs. D. M. Adams, Allen, Bateman, Belden, Bell,

Bishop, Blakely, Bowers, Brenner, Brinkman, Brown, Buchan, Cooper, Crew, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, J. M. Hunter, James, Kahler, Langdon, Larkin, Legere, Lowrey, Lowe, Mapes, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Plummer, Robinson, Searcy, Sexton, Shaw, Simpson, Smith, Spaulding, Stratton, Turner, Veale, Vickers, Wakefield, Weaver and Wells.

The following gentlemen voted in the negative :

Messrs. Cochrane and Jeffrey.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Baker, Banta, Beaty, Billings, Bond, Bowron, Childs, Cross, Cummings, Kalloch, Lane, Lanter, McDermott, McDonald, Motz, O'Driscoll, Reasoner, Ross, Scofield, Sellers, Shoemaker, Snyder, Titus, Tough, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 25, An act to declare certain section lines public highways,

Was read the third time.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 58; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. D. M. Adams, Banta, Belden, Blakely, Bowers, Brenner, Brinkman, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Hutchings, W. J. Hunter, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Plummer, Robinson, Searcy, Sellers, Sexton, Shaw, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Veale, Wakefield and Weaver.

Gentlemen absent or not voting were :

Messrs. David Adams, Allen, Bacon, Baker, Bateman, Beaty, Bell, Billings, Bishop, Bond, Bowron, Brown, Buchan, Childs, Guffy, Harper, Huntington, Kalloch, Lane, Motz, O'Driscoll, Reasoner, Ross, Scofield, Shoemaker, Tough, Turner, Vickers, Ward, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 176, An act to vacate a part of the Eldorado and Emporia State road,

Was read the third time.

And the question being : Shall the bill pass ?

The roll was called with the following result :

Yeas, 71 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. D. M. Adams, Banta, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brinkman, Brown, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Plummer, Robinson, Searcy, Sellers, Sexton, Shaw, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Turner, Veale, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. David Adams, Allen, Bacon, Baker, Bateman, Beaty, Billings, Bend, Bowron, Buchan, Childs, Kallach, Lane, Mapes, Morgan, Motz, O'Driscoll, Reasoner, Ross, Scofield, Shoemaker, Tough, Vickers, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 168, An act to amend section 24 of an act fixing the fees of certain officers and persons therein named, approved March 2, 1868,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 69 ; nays, 3.

Gentlemen voting in the affirmative were:

Messrs. D. M. Adams, Allen, Banta, Bateman, Belden, Bell, Blakely, Bowers, Brenner, Brinkman, Buchan, Cochran, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Plummer, Robinson, Searcy, Sellers, Sexton, Shaw, Snyder, Spaulding, Stratton, Titus, Veale and Wakefield.

Gentlemen voting in the negative were :

Messrs. Bishop, Lanter and Weaver.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Bowron, Brown, Childs, Hoesman, Kalloch, Lane, Larkin, Morgan, Motz, O'Driscoll, Reasoner, Ross, Scofield, Shoemaker, Simpson, Smith, Tough, Turner, Vickers, Ward, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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#### INTRODUCTION OF BILLS.

By consent,

The following bills were introduced :

By Mr. Veale,

House Bill No. 312, An act to amend section 88, article 3, chapter 31 of the General Statutes of the State of Kansas.

Read first time.

By Mr. Veale,

House Bill No. 313, An act relating to district and county agricultural societies and farmers' clubs, and amendatory of section 2 of chapter 37 of the Statutes of 1872, relating to the State Agricultural Society.

Read first time.

House Bill No. 314, An act to authorize school district No. 31, Atchison county, Kansas, to issue bonds upon a vote of a majority of the electors of said district.

Read first time.

House Bill No. 315, An act for the relief of the board of education of the city of Independence.

Read first time.

On motion,

The rules were suspended, and the bills just introduced were read a second time and appropriately referred.

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BILLS ON SECOND READING.

House Bill No. 312, An act to amend section 88, article 3, chapter 31, of the General Statutes of the State of Kansas,

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 313, An act relating to district and county agricultural societies and farmers' clubs, and amendatory of section 2 of chapter 37 of the Statutes of 1872, relating to the State Agricultural Society.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 314, An act to authorize school district No. 31, Atchison county, Kansas, to issue bonds upon a vote of the majority of the electors of said district.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 315, An act for the relief of the board of education of the city of Independence.

Read the second time, and

Referred to the Committee on Education.

Senate Bill No. 14

Was taken from the Committee on Roads and Highways and

Read the second time, and

Referred to the Leavenworth Delegation.

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On motion,

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

## MORNING SESSION.

WEDNESDAY, FEBRUARY 19, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Banta, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Cochrane, Cooper, Crow, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Green, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, Motz, McDermott, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Plummer, Robinson, Ross, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Vickers, Ward, Wakefield, Wells and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Clelan.

On motion,

The reading of the Journal was dispensed with.

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REPORTS OF STANDING COMMITTEES.

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following report:



**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 224, An act supplemental to an act entitled an act for the encouragement of agriculture, approved February 19, 1872,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that the accompanying substitute be passed.

**REUBEN SMITH,**

*Chairman.*

**Mr. Miller,** Chairman of the Committee on Assessment and Taxation, submitted the following reports:

**MR. SPEAKER:** The Committee on Assessment and Taxation, to whom was referred

House Bill No. 300, An act to equalize the taxation and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of chapter 150, laws of 1871,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, the subject-matter being more fully set forth in House Bill No. 180.

**J. W. MILLER,**

*Chairman.*

**MR. SPEAKER:** The Committee on Assessment and Taxation, to whom was referred

House Bill No. 303, An act to provide for the semi-annual collection of taxes,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, the subject-matter being more fully set forth in House Bill No. 180,

**J. W. MILLER,**

*Chairman.*

**Mr. Fields,** Chairman of the Committee composed of the Leavenworth delegation, submitted the following report:

**MR. SPEAKER:** The Special Committee of the Leavenworth delegation, to whom was referred

Senate Bill No. 14, An act to amend section 28 of chapter 89, of the General Statutes,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

H. C. FIELDS,  
*Chairman.*

**Mr. Banta, Chairman of the Committee on Judiciary** submitted the following reports:

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 155, An act in relation to the division and formation of townships,

Have had the same under consideration, and instruct me to report the bill back to the House, with substitute, and passage of substitute recommended.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 120, An act to legalize the official acts of the city council of the city of De Soto, a city of the third class, in Johnson county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it pass.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 274, An act to provide for the permanent survey of land,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 290, An act to remove disabilities from certain persons therein named,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 291, An act to vacate certain grounds in Manhattan City, Riley county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 218, An act to amend section 21, article 4, chapter 83, of the General Statutes of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 295, An act legalizing the official acts of

George M. Clay, a justice of the peace of Montgomery county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 286, An act to vacate Wood street in Miller's fourth addition to the town of Marion Center,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed,

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 90, An act to legalize conveyances made by trustees of Geneva Presbyterian Academy,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 247, An act to secure civil rights to the citizens of this State,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

Mr. Wakefield offered

Petition of E. Nute, with the following report, and requested that it be

Referred to the Committee on Ways and Means.

Which was so referred.

MR. SPEAKER: The Committee on Claims, have had under consideration

Petition of E. Nute, with accompanying warrant and affidavit, and a majority of the Committee instruct me to report that they find no just cause why the claim should not be allowed, and recommend that two hundred dollars be appropriated for that purpose.

W. WAKEFIELD,

*Chairman.*

Mr. Childs offered

House Concurrent Resolution No. 28, Granting leave of absence to a committee.

And moved to suspend the rules, and consider the resolution now.

Which motion prevailed.

House Concurrent Resolution No. 28,

On motion, was lost.

Mr. Hutchinson, Chairman of the Committee on Texas Cattle, submitted the following reports:

MR. SPEAKER: The Committee on Texas Cattle, to whom was referred

House Bill No. 309, An act to amend section 2 of chapter 195 of the laws of 1872,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

C. C. HUTCHINSON,

*Chairman.*

MR. SPEAKER: The Committee on Texas Cattle, to whom was referred

House Bill No. 297, An act to amend section 1 of chapter 195 of the laws of 1872,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

C. C. HUTCHINSON,

*Chairman.*

Mr. Langdon, Chairman of the Special Committee on Herd Law, submitted the following reports:

MR. SPEAKER: The Special Committee on Herd Law, to whom was referred

House Bill No. 226, An act amendatory to an act declaring Hedges a legal fence,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed.

S. J. LANGDON,

*Chairman.*

MR. SPEAKER: The Special Committee on Herd Law, to whom was referred

House Bill No. 286, An act to vacate Wood street in Miller's fourth addition to the town of Marion Center,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed.

S. J. LANGDON,

*Chairman.*

MR. SPEAKER: The Special Committee on Herd Law, to whom was referred

House Bill No. 301, An act in relation to animals running at large, and to amend article 3, section 5, chapter 105, General Statutes,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Mr. Sexton dissenting.

S. J. LANGDON,  
*Chairman.*

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MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 45, An act to authorize the consolidation of bridge companies organized under the laws of this State with similar companies organized under the laws of an adjoining State,

Without amendment.

House Bill No. 5, An act authorizing the county commissioners of Cowley county to issue bonds to liquidate the indebtedness of said county.

With numerous amendments thereon noted.

Senate Bill No. 42, To amend section 17, chapter 89 of the General Statutes of 1868, in relation to roads and highways.

Senate Bill No. 50, Relating to certain offences, and to provide for the punishment thereof.

Senate Bill No. 40, An act to amend an act entitled an act amendatory of and supplemental to an act to incorporate cities of the first class, approved February 24, 1868, approved February 7, 1871.

GEO. C. CROWTHER,  
*Secretary.*

On motion,

The House concurred in all the Senate amendments to House Bill No. 5.

By consent,

Mr. Sellers offered

House Joint Resolution No. 4, Making an appropriation to James M. Matheny.

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INTRODUCTION OF BILLS.

By Mr. Hutchings,

House Bill No. 316, An act for the relief of Mission township, in Neosho county.

Read first time.

By Mr. Larkin,

House Bill No. 317, An act to establish a certain State road in Leavenworth and Atchison counties.

Read first time.

By Mr. Fields,

House Bill No. 318, An act to amend sections 2 and 7, of an act entitled an act to provide for the settlement of the losses sustained between the years 1860 and 1871 by the settlers on the frontier from Indian depredations, of the laws of Kansas.

Read first time.

By Mr. Fields,

House Bill No. 319, An act to provide for the protection of a certain kind of game.

Read first time.

By Mr. Fields,

House Bill No. 320, An act supplemental to an act entitled an act regulating crimes and punishments, General Statutes of 1868.

Read first time.



By Mr. Harvey,

House Bill No. 321, An act to protect hedges in counties where the herd law is adopted.

Read first time.

By Mr. Spaulding,

House Bill No. 322, An act to amend an act entitled an act to amend article 3, chapter 23, of the General Statutes.

Read first time.

By Mr. Lowe,

House Bill No. 323, An act to vacate certain streets and alleys in the city of Leecompton.

Read first time.

By Mr. Veale,

House Bill No. 324, An act making appropriations for the executive and judiciary department of the State.

Read first time.

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REPORT OF STANDING COMMITTEE.

Mr. Veale, Chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: The Committee on Ways and Means have had under consideration appropriations for the executive and judiciary departments of the State, and have instructed me to report the following bill and recommend its passage.

G. W. VEALE,

*Chairman.*

MR. SPEAKER: The Committee on Ways and Means have had under consideration the claims of certain persons

in contesting elections, and have instructed me to report the accompanying bill and recommend its passage.

G. W. VEALE,  
*Chairman.*

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INTRODUCTION OF BILLS.

By Mr. Stratton,

House Bill No. 325, An act in reference to roads and highways and to amend the General Statutes, chapter 89, section 3, and chapter 175, section 1, laws of 1872.

Read first time.

By Mr. W. J. Hunter,

House Bill No. 326, An act to fix the liabilities of railroad companies for damage arising from fires set out or suffered to escape by said companies or their agents.

Read first time.

By Mr. W. J. Hunter,

House Bill No. 327, An act to vacate a certain alley in Manhattan, Riley county.

Read first time.

By Mr. Cooper,

House Bill No. 328, An act to amend article 3, chapter 31, of the General Statutes.

Read first time.

By Mr. Legere,

House Bill No. 329, An act to provide for building a boom across the Big Blue river in Marshall county, Kansas.

Read first time.

Senate Bill No. 40, An act to amend an act entitled an act amendatory of and supplemental to an act to incorpo-

rate cities of the first class, approved February 24, 1868, approved February 7, 1871.

Read first time.

Senate Bill No. 42, An act to amend section 17 chapter 89, General Statutes of 1858, in relation to roads and highways.

Read first time.

Senate Bill No. 50, An act relating to certain offences and to provide for the punishment thereof.

Read first time.

Mr. Lanter moved to suspend the rules, and have all the bills just read a first time, placed on second reading now.

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BILLS ON SECOND READING.

Senate Bill No. 42, An act entitled an act to amend section 17, chapter 89, General Statutes of 1868, in relation to roads and highways.

Read the second time, and

Referred to the Committee on Roads and Highways.

Senate Bill No. 50, An act relating to certain offences and to provide for the punishment thereof.

Read the second time, and

Referred to the Committee on Judiciary.

Senate Bill No. 40, An act to amend an act entitled an act amendatory of and supplemental to an act to incorporate cities of the first class, approved February 24, 1868, approved February, 7, 1871.

Read the second time, and

Referred to the Leavenworth delegation.

House Bill No. 316, An act for the relief of Mission township, in Neosho county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 317, An act to establish a certain State road in Leavenworth and Atchison counties.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 318, An act to amend sections 2 and 7, of an act entitled an act to provide for the settlement of the losses sustained between the years 1860 and 1871 by the settlers on the frontier from Indian depredations, of the laws of Kansas.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 319, An act to provide for the protection of certain kinds of game,

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 320, An act supplemental to an act entitled an act regulating crimes and punishments, General Statutes of 1868.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 321, An act to protect hedges in counties where the herd law is adopted.

Read the second time, and

Referred to the Committee on Herd Law.

House Bill No. 322, An act to amend an act entitled an act to amend article 3, chapter 23 of the General Statutes.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 323, An act to vacate certain streets and alleys in the city of Lecompton.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 324, An act making appropriations for the executive and judiciary departments of the State.

Read the second time, and

Referred to the Committee of the Whole House.

House Bill No. 325, An act in reference to railroads and highways, and to amend the General Statutes, chapter 89, section 3, and chapter 175, section 1, of the laws of 1872.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 326, An act to fix the liabilities of railroad companies for damages arising from fires set out or suffered to escape by said companies or their agents.

Read the second time, and

Referred to the Committee on Railroads.

House Bill No. 327, An act to vacate a certain alley in Manhattan City, Riley county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 328, An act to amend article 3, chapter 31 of the General Statutes.

Read the second time, and

Referred to the Committee on State Affairs.

House Bill No. 329, An act to provide for building a boom across the Big Blue river in Marshall county, Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

House Joint Resolution No. 4, Making an appropriation to James M. Matheny.

Read the second time, and

Referred to the Committee on Ways and Means.

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BILLS ON THIRD READING.

The Consideration of

House Bill No. 208, An act to provide for the issue and sale of Union military bonds of the State of Kansas, for the purpose of liquidating the indebtedness of the State assumed February 17, 1869, for the Price Raid Claims of 1864, and the Indian expedition under Major General S. R. Curtis, in July and August, 1864,

Was again resumed.

Mr. Simpson offered the following amendment:

SECTION 1. That seven hundred thousand dollars of the bonds of the State of Kansas, or as much thereof as may be necessary, are hereby authorized and directed to be issued and sold for the purpose of paying the indebtedness of the State assumed Feb. 17, 1869, for the Price Raid claims of 1864, and the Indian expedition under Major General Curtis in July and August, 1864, and to pay claims of settlers for losses of property by reason of Indian depredations as hereinafter provided.

Mr. Hutchings moved the previous question.

Which motion prevailed.

The yeas and nays being demanded on the amendment offered by Mr. Simpson,

The roll was called with the following result:

Yeas, 46; nays, 37.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Banta, Bateman, Bishop,

Blakely, Brinkman, Brown, Crew, Cross, Cummings, Curtain, Davis, Ensign, Fields, Forsee, Frazier, Funston, Green, Harper, Henshaw, Hoesman, Hutchinson, J. M. Hunter, W. J. Hunter, Jeffrey, Kahler, Kalloch, Lanter, Legere, Lowrey, McLean, J. W. Miller, Motz, Nugent, Peck, Robinson, Ross, Searcy, Sellers, Sexton, Shaw, Simpson, Snyder, Stratton and Weaver.

Gentlemen voting in the negative were :

Messrs. D. M. Adams, Belden, Bell, Bowers, Bowron, Brenner, Buchan, Childs, Cochrane, Cooper, De-Forrest, Dillard, Eldridge, Gillespie, Gregg, Guffy, Harvey, Hodges, Hungerford, Hutchings, Huntington, James, Langdon, Larkin, Lowe, McDermett, McDonald, G. M. Miller, Morgan, Plummer, Reasoner, Shoemaker, Smith, Titus, Ward, Wakefield and Wells.

Gentlemen absent or not voting were :

Messrs. Bacon, Baker, Beaty, Billings, Bond, Lane, Mapes, Morrison, O'Driscoll, Scofield, Spaulding, Tough, Turner, Veale, Vickers, Willets and Mr. Speaker Kellogg.

Mr. James moved to reconsider the vote for the previous question.

Which motion was lost.

And the question being : Shall the bill pass ?

The yeas and nays were had with the following result :

Yeas, 35 ; nays, 50.

The following gentlemen voted in the affirmative :

Messrs. D. M. Adams, Brenner, Childs, Cross, Curtain, Davis, Eldridge, Fields, Forsee, Gillespie, Green, Hoesman, Hungerford, W. J. Hunter, Kahler, Kalloch, Larkin, Legere, Lowe, McDonald, Morgan, Morrison, Plummer, Reasoner, Searcy, Sexton, Shaw, Simpson, Snyder, Spaulding, Veale, Vickers, Ward, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Allen, Banta, Bateman, Belden, Bell, Bishop,

Blakely, Bowers, Bowron, Brown, Buchan, Cochrane, Cooper, Crew, Cummings, DeForrest, Dillard, Ensign, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Langdon, Lanter, Lowrey, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Robinson, Ross, Shoemaker, Smith, Stratton, Titus and Wakefield.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bond, Brinkman, Lane, O'Driscoll, Scofield, Sellers, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote in favor of the passage of the bill,

The bill was lost.

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On motion of Mr. Fields,

House Bill No. 289, An act making appropriations for certain persons therein named,

Was made a Special Order for 3 o'clock to-morrow.

---

House Bill No. 87, An act to establish a State road through the counties of Rice, Ellsworth, Lincoln, Mitchell and Jewell, .

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 3.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Banta, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Cochrane, Cum-



nings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, Kahler, Langdon, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent Peck, Reasoner, Robinson, Ross, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Stratton, Titus, Vickers, Wakefield and Weaver.

The following gentlemen voted in the negative :

Messrs. Cooper, Jeffrey and Ward.

Gentlemen absent and not voting were :

Messrs. David Adams, Bacon, Baker, Bateman, Beaty, Billings, Bond, Bowron, Brinkman, Childs, Crew, Cross, Eldridge, Gillespie, J. M. Hunter, W. J. Hunter, James, Kalloch, Lane, Larkin, McDonald, Morgan, Motz, O'Driscoll, Plummer, Scofield, Smith, Snyder, Spaulding, Tough, Turner, Veale, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. McDermott moved to reconsider the vote by which Senate amendment to

House Bill No. 5

Was adopted.

The yeas and nays being demanded,

The roll was called with the following result :

Yeas, 68; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Banta, Bateman, Belden, Bell, Bowers, Bowron, Brenner, Buchan, Cochran, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Reasoner, Robinson, Ross, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Titus, Vickers, Ward, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. Bacon, Baker, Beaty, Billings, Bishop, Blakely, Bond, Brinkman, Brown, Childs, Eldridge, Hutchings, W. J. Hunter, Kalloch, Lane, Langdon, Lowe, Morgan, Motz, O'Driscoll, Peck, Plummer, Scofield, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Wakefield, Willets and Mr Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 4, An act to amend an act authorizing municipal corporate authorities to issue bonds for internal improvements, approved March 2, 1872,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 43; nays, 29.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Blakely, Cooper, Crow, Cross, Cummings, Curtain, DeForrest, Eldridge, Ensign, Fields, Green, Guffy, Hodges, Hoesman, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Kahler, Kalloch, Langdon, Larkin, Lowrey, McDermott, McLean, J. W. Miller, G. M. Miller, Peck, Plummer, Robinson, Ross, Searcy, Sellers, Shaw, Shoemaker, Simpson, Titus, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. Banta, Bateman, Belden, Bell, Bowers, Brown, Buchan, Cochrane, Davis, Frazier, Funston, Gregg, Harper, Harvey, Henshaw, Hungerford, Jeffrey, Lanter, Mapes, McDonald, Nugent, Reasoner, Smith, Snyder, Spaulding, Veale, Ward and Weaver.

Gentlemen absent or not voting were:

Messrs. David Adams, Bacon, Baker, Beaty, Billings, Bishop, Bond, Bowron, Brenner, Brinkman, Childs, Dillard, Forsee, Gillespie, Hutchings, Lane, Legere, Lowe, Morgan, Morrison, Motz, O'Driscoll, Scofield, Sexton, Stratton, Tough, Turner, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote for the passage of the bill,

The bill was lost.

---

House Bill No. 62, An act in regard to street and city railroads,

Was read the third time.

Mr. Fields moved to strike out the first section.

Which motion was lost.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result :

Yeas, 25 ; nays, 36.

The following gentlemen voted in the affirmative :

Messrs. Bateman, Belden, Bishop, Bowron, Buchan, Davis, Fields, Frazier, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Langdon, Larkin, Lowe, McDermott, McLean, J. W. Miller, G. M. Miller, Robinson, Searcy, Sellers, Shaw, Simpson, Spaulding, Wakefield and Wells.

Gentlemen voting in the negative were :

Messrs. D. M. Adams, Bell, Blakely, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, James, Jeffrey, Kahler, Kalloch, Lanter, McDonald, Morgan, Motz, Peck, Ross, Smith, Snyder, Titus, Ward and Weaver.

Gentlemen absent or not voting were :

Messrs. David Adams, Allen, Bacon, Baker, Banta, Beaty, Billings, Bond, Bowers, Brenner, Brinkman, Brown, Childs, Cross, Dillard, Eldridge, Forsee, Green, Lane, Legere, Lowrey, Mapes, Morrison, Nugent, O'Driscoll, Plummer, Reasoner, Scofield, Sexton, Shoemaker, Stratton, Tough, Turner, Veale, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote for the passage of the bill,

The bill was lost.

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Mr. Buchan moved to take

House Bill No. 178, An act to promote immigration into the State of Kansas,

From its third reading, and refer it to the Committee of the Whole,

Mr. Hutchings moved to amend by striking the bill from the Calendar.

The motion prevailed.

The bill was then struck from the Calendar.

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Mr. Fields moved that

House Bill No. 245, An act providing for certain improvements in Leavenworth county,

Be considered engrossed, and that it be put upon its third reading.

Which motion prevailed.

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Crew, Cross, Cummings, Curtain, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Kahler, Kalloch, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Ross, Scofield, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Ward, Wakefield, Weaver and Wells.

Quorum present.

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The following communication was read :

The members of the Legislature are most respectfully invited to be present and take part in the discussion of the various subjects that will be presented before the agricultural meeting this evening in Representative Hall.

By consent,

Mr. Plummer was granted leave of absence until Monday next.

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COMMITTEE OF THE WHOLE.

Mr. Eldridge moved to go into Committee of the Whole for the consideration of General Orders.

Which motion prevailed.

Mr. Harvey in the Chair.

After some time spent therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: The Committee of the Whole House have had under consideration

House Bill No. 115, An act to authorize the making of deeds of trust to secure the payment of money by the grantor to a third person, with power of sale therein, and to regulate the rights of parties thereunder, and to amend section 399 of civil procedure, and repealing all laws inconsistent therewith.

And .

House Bill No. 285, An act supplemental to an act entitled an act to authorize counties, incorporated cities and municipal townships to issue bonds, for the purpose of building bridges, aiding in the construction of railroads, water power or other internal improvements, and providing for the registration of such bonds, the registration of other bonds and the repealing of all laws in conflict therewith, approved March 2, 1872.

And the Committee recommend their passage with the amendments therein noted.

HARVEY,  
Chairman.

## BILLS ON THIRD READING.

House Bill No. 245, An act providing for certain improvements in Leavenworth county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 4.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Belden, Bell, Billings, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cross, Curtain, Davis, DeForrest, Dilliard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Laagdon, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, G. M. Miller, Morgan, Morrison, Nugent, Peck, Robinson, Ross, Sellers, Sexton, Shaw, Simpson, Vickers, Wakefield, Weaver and Wells.

The following gentlemen voted in the negative:

Messrs. Bacon, Bateman, Beaty and Cummings.

Gentlemen absent or not voting were:

Messrs. Bond, Brenner, Brinkman, Cooper, Crew, Green, Guffy, Hungerford, Hutchings, Lane, Lanter, McDonald, J. W. Miller, Motz, O'Driscoll, Plummer, Reasoner, Scofield, Searcy, Shoemaker, Smith, Snyder, Spaulding, Stratton, Titas, Tough, Turner, Veale, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.



House Bill No. 115, An act to authorize the making of deeds of trust to secure the payment of money by the grantor to third persons, with powers of sale therein, and to regulate the rights of parties thereunder, and to amend section 399 of civil procedure, and repealing all laws inconsistent therewith,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 63; nays, 19.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Baker, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Childs, Cochrane, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Kahler, Kalloch, Lanter, Legere, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Peck, Robinson, Ross, Scofield, Sellers, Sexton, Simpson, Titus, Veale, Wakefield, Weaver and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. David Adams, Banta, Bowron, Brown, Buchan, Curtain, Frazier, Green, Jeffrey, Larkin, Lowrey, Nugent, Searcy, Shaw, Smith, Stratton, Vickers and Wells.

Gentlemen absent or not voting were:

Messrs. Bacon, Beaty, Billings, Bond, Brinkman, Cooper, Funston, Lane, Langdon, O'Driscoll, Plummer, Reasoner, Shoemaker, Snyder, Spaulding, Tough, Turner, Ward and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 285, An act supplemental to an act entitled an act to authorize counties, incorporated cities and municipal townships, to issue bonds for the purpose of building bridges, aiding in the construction of railroads, water power or other internal improvements, and providing for the registration of such bonds, the registration of other bonds and the repealing of all laws in conflict therewith, approved March 2, 1872,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 67; nays, 4.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cross, Cummings, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Larkin, Legere, Lowrey, Lowe, G. M. Miller, Morgan, Morrison, Motz, Peck, Reasoner, Ross, Scofield, Searcy, Sellers, Sexton, Simpson, Spaulding, Stratton, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Curtain, Henshaw, McDermott and Snyder.

Gentlemen absent or not voting were:

Messrs. Bacon, Banta, Bateman, Billings, Bond, Bowron, Brinkman, Cooper, Crew, Fanston, Green, Harvey, J. M. Hunter, Lane, Lanter, Mapes, McDonald, McLean, J. W.

Miller, Nugent, O'Driscoll, Plummer, Robinson, Shaw, Shoemaker, Smith, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent;

Mr. Scofield offered

House Concurrent Resolution in relation to adjournment of the Legislature.

Mr. Scofield moved that the rules be suspended and the resolution considered now.

Mr. Titus moved to postpone until to-morrow.

Which motion was lost.

The question being on the resolution offered by Mr. Scofield,

The yeas and nays being demanded,

The roll was called with the following result:

Yeas, 44 ; nays, 39.

Gentlemen voting in the affirmative were:

Messrs. David Adams, D. M. Adams, Baker, Bowers, Buchanan, Childs, Cross, Curtain, DeForrest, Eldridge, Forsee, Gillespie, Harper, Harvey, Hoesman, Hutchings, Hutchinson, James, Jeffrey, Kahler, Kalloch, Langdon, Larkin, Lanter, Legere, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Nugent, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Sexton, Shaw, Simpson, Spaulding, Vickers and Wells.

Gentlemen voting in the negative were :

Messrs. Allen, Banta, Bateman, Relden, Bell, Blakely, Bowron, Brenner, Brown, Cochrane, Crew, Cummings, Davis, Dillard, Ensign, Frazier, Funston, Gregg, Green, Guffy, Henshaw, Hodges, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, Lowrey, McLean, Morrison, Motz, Peck, Sellers, Shoemaker, Smith, Snyder, Stratton, Titus, Wakefield and Weaver.

Gentlemen absent or not voting were :

Messrs. Bacon, Beaty, Billings, Bishop, Bond, Brinkman, Cooper, Fields, Lane, O'Driscoll, Tough, Turner, Veale, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority not having voted in favor of the passage of the resolution,

The resolution was lost.

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REPORT OF SPECIAL COMMITTEE.

By consent,

Mr. Childs, Chairman of the Committee to visit the Insane Asylum, submitted the following report:

Which was ordered printed.

MR. SPEAKER: Your Joint Committee, appointed under Concurrent Resolution No. —, made an examination of the Insane Asylum and its general conduct on Friday and Saturday, February 7th and 8th.

We are pleased to be able to report that we found the Asylum under the management of Dr. Jacobs, the superintendent, conducted in a very creditable and satisfactory manner.

The sleeping rooms of the patients were supplied with good, clean and comfortable bedding; the bed chambers, wards and halls were kept in a clean and orderly condition;

the food of the patients was of the same kind as furnished to the superintendent and help of the Asylum, and was of a nutritious, plain and substantial character, and was well prepared.

The rooms of the Asylum are all occupied, and the institution is very much crowded; so much so that many rooms are made to accommodate double the number originally intended. There are many of the patients compelled to sleep on the floor of the wards.

The crowded condition of the various wards prevent a proper classification of the patients; mild patients and convalescent ones are, in many instances, compelled to be kept with the raving maniac, which cannot but retard their recovery.

The State is very much in need of more room for patients, and the necessity is imperative and pressing. The necessity must be considered by the Legislature in connection with the depressed condition of the finances of the State, and her other pressing demands from the other State institutions, and the State's indebtedness.

Economy in every department of the State should be rigidly applied where it can be done consistent with the welfare of the State institutions.

The insane of the State are the most helpless of its unfortunates, and the highest dictates of humanity require that we should discriminate, if at all, in favor of those that are not only utterly unable to take care of themselves, but, if uncared for, are both dangerous to themselves and to society.

As to the propriety of appropriations to be made for further buildings the present year, your Committee will make no recommendation, but content themselves with submitting the facts to the careful consideration of a humane Legislature.

The site of the present building is a very beautiful piece of rolling prairie that commands a fine view of the surrounding country, but it is six miles from any railroad station, and

is only accessible by one line of railroad, which makes it very inconvenient for many locations to reach. Much of the water used in the institution is brought from the river, a distance of a little less than one mile, which requires the constant service of one man and team, and much of the time the services of two, which is the source of considerable expense; and with new buildings erected on the present site, and a consequent increase of patients to be cared for, could only be supplied by a stationary steam engine or wind mill.

The position of a housekeeper for the asylum appears to be an office for which there is no necessity, and we would recommend that the appropriation of \$500 made last year for that office, be omitted in the appropriation for current expenses.

We examined the steward's accounts, and found the vouchers accompanying each purchase, and the prices paid, very reasonable.

We would recommend that the steward be required to keep a day book, in which shall be entered daily his financial transactions. Also a journal and ledger, and that he be required to verify his accounts at quarterly settlements with the trustees, by his oath, that the accounts are true and correct; that the articles were purchased for and used by the patients.

We would also suggest that the treasurer of the Asylum fund should be in close proximity to the institution, and that he be required to pay all bills upon an order given to the person bearing the demand, payable to him or his order.

Your Committee had the pleasure of attending a party in the chapel hall of the asylum, which was attended by a large number of mild and convalescent patients, and the dancing and music appeared to be enjoyed by them very much. They all conducted themselves very quietly and in an orderly manner.

When we consider that in many cases, melancholy and depression of spirits, consequent from disappointments, bus-

iness failures, domestic troubles, and bodily disease, is the cause of their unfortunate condition, and that cheerfulness and enjoyment has a beneficial influence, we were pleased to notice the avidity with which many of the patients avail themselves of reading matter.

While the State has acted as if it had performed its whole duty toward this class of unfortunates, when it has procured a place of safe confinement with proper food and clothing, together with medical aid, we, your Committee, feel that it is the duty of the State to furnish reading matter of a light and instructive character, adapted to all classes of minds, and that all amusements that give recreation to both body and mind, shall be encouraged, and indulged in by the patients on all proper occasions.

C. B. BUTLER,  
WM. SIMPSON,

*On part of Senate.*

A. F. CHILDS,  
J. T. LANTER,  
C. F. BOWRON,  
H. C. SNYDER,

*On part of House.*

The following Committee to examine the affairs of State officers were appointed by the Speaker:

Messrs. D. M. Adams, Cross, Lanter and Eldridge.

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(On motion,

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

## MORNING SESSION.

THURSDAY, FEBRUARY 20, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. D. M. Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Cochran, Cooper, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Larkin, Legere, Lowrey, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Robinson, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Stratton, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Mitchell.

On motion,

The reading of the Journal was dispensed with.

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REPORTS OF STANDING COMMITTEES.

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports:



**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

Senate Bill No. 50, An act relating to certain offences and to provide for the punishment thereof,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 298, An act to authorize school districts to remove school houses from settlers' claims or condemn an acre or more of land in certain cases,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 302, An act to repeal section 405 of chapter 80 of the laws of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 312, An act to amend section 88, article 3, chapter 31, of the General Statutes of the State of Kansas,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 127, An act to amend chapter 39 of General Statutes of 1868, entitled an act fixing the fees of certain officers and persons named therein,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be postponed, the subject-matter having been already acted upon in the House.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 296, An act to create the sixteenth judicial district and to provide for a judge thereof, and for holding the terms of court therein,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Concurrent Resolution No. 27, Proposing an amendment to the constitution of the State of Kansas,

Have had the same under consideration and instruct me to report the resolution back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 240, An act entitled an act to legalize an election in Scranton township, Republic county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 294, An act entitled an act to amend an act to protect the people of Kansas from empiricism, and to elevate the standard of the medical profession,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 186, An act to provide for bridge building,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 316, An act for the relief of Mission township, in Neosho county.

Have had the same under consideration, and instruct me

to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

Mr. Miller, Chairman of the Committee on Assessment and Taxation, submitted the following report :

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 284, An act for the relief of Johnson county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. W. MILLER,

*Chairman.*

#### MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, February 18, 1873. }

*To the House of Representatives :*

I have approved

House Bill No. 21, An act to vacate certain cemetery grounds in Blue Rapids City, Marshall county, Kansas.

THOMAS A. OSBORN,

*Governor.*

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, February 18, 1873. }

*To the House of Representatives :*

In answer to your resolution requesting the Governor to furnish such information as he may possess in reference to the duties, location of office and records and whereabouts of the

State Land Agent, and whether such office cannot be abolished without detriment to the interests of the State, I respectfully submit that R. C. Mobley, of Ottawa county, now holds said office, that he was appointed thereto by the Governor on the seventeenth day of February, 1869; that he has no office at the State Capital, and that I do not know where the records of his office are kept. The last report made to the Auditor by the agent, was made on the sixteenth day of April, 1870. There is no necessity for such an office. The office should be abolished, and the records thereof deposited with the State Auditor, and the Auditor authorized to perform any act now required by law to be performed by such agent.

THOMAS A. OSBORN,  
*Governor.*

Mr. Blakely offered the following resolution :

*Resolved*, That the Committee on Judiciary be instructed to prepare and introduce a bill abolishing the office of State Land Agent, and providing for the disposition of the records of said office.

Which, on motion, was adopted.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

Senate Bill No. 47, An act entitled an act relating to killing or wounding of stock by railroads.

Senate Bill No. 1, An act to remove disabilities.

Senate Bill No. 16, An act concerning universities and institutions of learning.

Senate Bill No. 56, An act to authorize Montgomery county to issue bonds to pay the indebtedness of the county.

Senate Bill No. 36, An act to authorize railroad compan-

ies to purchase the bonds and stock of other companies, and to endorse the same, and foreclose mortgages.

Senate Bill No. 55, An act to repeal an act to provide for issuing the bonds of Mound City township, Linn county.

And has adopted

House Concurrent Resolution No. 25, Relating to a post route through the Indian Territory.

House Concurrent Resolution No. 26, Appointing a committee to report a bill for the registration of bonds.

And has passed

Senate Bill No. 12, An act to amend an act relating to the conveyances of real estate.

House Bill No. 167, An act to authorize and empower cities of the first class to purchase and acquire real estate.

Substitute for House Bill No. 23, An act to amend section 75, of chapter 24 of the General Statutes, defining the boundaries of counties.

House Bill No. 9, An act for the relief of George Campbell.

And has failed to pass

House Bill No. 38, An act to amend section 1 of chapter 45 of 1868, concerning the protection of game.

And has adopted

Senate Concurrent Resolution No. 37, Relating to settlers on the Osage Ceded Lands.

GEO. C. CROWTHER,

*Secretary.*

House Concurrent Resolution No. 26,

*Be it resolved by the House of Representatives, the Senate concurring :*

That a Joint Committee of three on part of the Senate and five on part of the House be appointed to report a bill

for the registration of bonds that will suggest a law that will be more satisfactory and efficient than the law now in force on that subject.

House Concurrent Resolution No. 25,

*Resolved by the House of Representatives, the Senate concurring therein :*

That the Congress of the United States is hereby requested to pass the bill now before their body, providing for a post route, wagon road and the neutralizing of a strip five miles wide for that purpose through the Indian Territory from a point on the Arkansas river at the mouth of Walnut river, to some point in Texas, and the appointment of commissioners to locate the same, and that our Senators and Representatives in Congress are hereby requested to favor the passage of the same.

That the Secretary of State be and he is hereby instructed to forward a copy of the above resolution to each of our Senators and Representatives in Congress.

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REPORTS OF STANDING COMMITTEES.

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following reports:

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 65, A bounty bill to provide for the protection of sheep and poultry,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed.

REUBEN SMITH,

*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 313, An act relating to district and county agricultural societies and farmers' clubs, and amendatory of section 2 of chapter 37 of the Statutes of 1872, relating to the State Agricultural Society,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

REUBEN SMITH,

*Chairman.*

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: The Committee on Enrolled Bills have examined

House Bill No. 45, An act to authorize the consolidation of bridge companies, organized under the laws of this State, with similar companies organized under the laws of adjoining States.

And

Substitute for House Bill No. 23, An act to amend section 75 of chapter 24 of the General Statutes of 1868, approved March 3, 1868, as amended by an act approved March 1, 1870, defining the boundaries of counties,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

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RESOLUTIONS CONSIDERED.

Mr. Sellers offered

House Concurrent Resolution No. 30, In relation to mail routes.

Mr. Legere moved that two more members be added to the Committee on



House Bill No. 211, An act to provide against the evils resulting from the sale of intoxicating liquors in the State of Kansas.

Which motion prevailed.

Messrs. Bowers and Buchan were appointed on the Committee.

Mr. McDermott offered the following resolution :

*Resolved*, That the Committee on Frontier and Judiciary are instructed to provide means for the enforcement of the laws in unorganized counties in connection with the bill for defining the boundaries of the same.

Which resolution was adopted.

By consent,

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868,

Was referred to the Committee on Frontier and Judiciary.

Mr. D. M. Adams moved that the

Substitute for House Bill No. 2

Be made a Special Order of business for 2 o'clock this afternoon.

Which motion prevailed.

By consent,

Mr. Titus offered

House Concurrent Resolution No. 31.

Which was laid over under the rules.

Mr. Spaulding moved that

Substitute for House Bill No. 39

Be made a Special Order for 2:30 this P. M.

Which motion prevailed.

On motion of Mr. Hutchinson,

House Bill No. 141

Was ordered to be considered immediately after

House Bill No. 39.

Mr. DeForrest moved that

Senate Bill No. 20

Be made a Special Order for 3:30 o'clock this afternoon.

Which motion prevailed.

Mr. Buchan offered the following resolution:

*Resolved*, That this House meet at 7:30 this evening, and go into Committee of the Whole on Senate Bills.

On motion,

The resolution was adopted.

Mr. Davis moved that

House Bill No. 190, An act to remove certain disabilities from certain persons therein named,

Be taken from the Calendar and

Referred to the Committee on Agriculture and Manufactures.

Which motion prevailed.

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#### INTRODUCTION OF BILLS.

By Mr. Childs,

House Bill No. 331, An act to to amend sections 1 and 2, chapter 9, General Statutes of 1868, respecting the Insane Asylum,

Read first time.

By Mr. Cummings,

House Bill No. 332, An act to amend an act entitled an act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the sales of school lands, approved February 15, 1870, approved March 2, 1871.

Read first time.

By Mr. Bell,

House Bill No. 333, An act to legalize the sale of certain school lands on the town site of the city of Independence.

Read first time.

By Mr. Nugent,

House Bill No. 334, An act to repeal section 58, in the code of civil procedure.

Read first time.

By Mr. Baker,

House Bill No. 335, An act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the sale of school lands, approved March 2, 1871.

Read first time.

By Mr. G. M. Miller,

House Bill No. 336, An act to authorize Oxford township, Sumner county, Kansas, to issue bonds to build a school house.

Read first time.

By Mr. Davis,

House Bill No. 337, An act to remove disabilities from certain persons therein named.

Read first time.

By Mr. Henshaw .

House Bill No. 338, An act to amend an act entitled an act to incorporate the city of Eudora.

Read first time.

By Mr. McDonald,

House Bill No. 339, An act relating to taxation.

Read first time.

Senate Bill No. 12, An act to amend an act relating to the conveyance of real estate.

Read first time.

Senate Bill No. 55, An act to repeal an act to provide for issuing the bonds of Mound City township, Linn county.

Read first time.

Senate Bill No. 56, An act authorizing Montgomery county to issue bonds to pay the indebtedness of the county.

Read first time.

Senate Bill No. 16, An act concerning universities and institutions of learning.

Read first time.

Senate Bill No. 1, An act to remove disabilities.

Read first time.

Senate Bill No. 36, To authorize railroad corporations to purchase the bonds and stock of other companies and to endorse and guarantee the same, and to foreclose mortgages.

Read first time.

Senate Bill No. 47, An act entitled an act relating to killing or wounding of stock by railroads.

Read first time.

By Mr. Larkin,

House Bill No. 340, An act to authorize the board of county commissioners of Atchison county to issue bonds.

Read first time.

By Mr. Gillespie,

House Bill No. 341, An act to amend an act entitled an act to regulate salvage, approved Feb. 23, 1869.

Read first time.

By Mr. Stratton,

House Bill No. 342, An act to legalize the survey and plat of Clay Center, Clay county, made by R. Franklin, county surveyor.

Read first time.

By Mr. Baker,

House Bill No. 343, An act to amend an act declaring section lines public highways, approved March 1, 1872.

Read first time.

By Mr. Veale,

House Bill No. 344, An act making appropriation for current expenses of State Normal School for the fiscal year ending Nov. 30, 1872.

Read first time.

Mr. Baker moved that bills just read a first time be taken up and read a second time now.

Which motion prevailed.

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BILLS ON SECOND READING.

House Bill No. 331, An act to amend sections 1 and 2, chapter 9, General Statutes of 1868, respecting the Insane Asylum.

House Bill No. 332, An act to amend an act entitled an

act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the school lands, approved February 15, 1870, approved March 2, 1871.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 333, An act to legalize the sale of certain school lands on the town site of Independence.

Read the second time, and

Referred to the Committee on Public Lands.

House Bill No. 334, An act to repeal section 58 in the code of civil procedure.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 335, An act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the sale of school lands, approved March 2, 1871.

Read the second time, and

Referred to the Committee of the Whole House.

House Bill No. 336, An act to authorize Oxford township, Sumner county, Kansas, to issue bonds to build a school house.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 337, An act to remove disabilities from certain persons therein named.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 338, An act to amend an act entitled an act to incorporate the city of Eudora.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 339, An act relating to taxation.

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 340, An act to authorize the board of county commissioners of Atchison county to issue bonds.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 341, An act to amend an act entitled an act to regulate salvage, approved February 23, 1869.

Read the second time, and

Referred to the Leavenworth delegation.

Substitute for House Bill No. 342, An act legalizing the survey of Clay Center, in the county of Clay, and State of Kansas.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

House Bill No. 343, An act to amend an act declaring section lines public highways, approved March 1, 1872.

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 344, An act making an appropriation for current expenses of State Normal School for the fiscal year ending November 30, 1872.

Read the second time, and

Referred to the Committee of the Whole.

Senate Bill No. 47, An act entitled an act relating to killing or wounding of stock by railroads.

Read the second time, and

Referred to the Committee on Roads and Highways.

Senate Bill No. 36, An act to authorize railroad companies to purchase the bonds and stock of other companies and to endorse and guarantee the same, and foreclose mortgages.

Read the second time, and

Referred to the Committee on Judiciary.

Senate Bill No. 1, An act to remove disabilities.

Read the second time, and

Referred to the Committee on Judiciary.

Senate Bill No. 16, An act concerning universities and institutions of learning.

Read the second time, and

Referred to the Committee on Public Institutions.

Senate Bill No. 56, An act to authorize Montgomery county to issue bonds to pay the indebtedness of the county.

Read the second time, and

Referred to the Committee on Corporations.

Senate Bill No. 55, An act to repeal an act to provide for issuing the bonds of Mound City township, Linn county.

Read the second time, and

Referred to the Committee on Judiciary.

Senate Bill No. 12, An act to amend an act relating to the conveyance of real estate.

Read the second time, and

Referred to the Committee on Judiciary.



Mr. David Adams moved to refer

House Bill No. 231

And

House Bill No. 88

To the Committee on Judiciary.

By consent,

House Bill No. 326

Was referred to the Committee on Agriculture and Manufactures.

Mr. Kalloch moved that

House Bill No. 187

Be referred to the Committee on Judiciary.

Which motion prevailed.

By consent,

Mr. Kalloch was granted leave of absence the rest of the session.

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BILLS ON THIRD READING

House Bill No. 192, An act in relation to the State Library, and the duties of the State Librarian,

Was read the third time.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 70; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Blakely, Brenner, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie,

Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Hutchings, Huntington, W. J. Hunter, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Robinson, Ross, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Vickers, Ward, Wakefield Wells and Weaver.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Beaty, Billings, Bishop, Bond, Bowers, Bowron, Brinkman, Brown, Davis, Eldridge, Kalloch, Lane, Mapes, Morgan, Motz, O'Driscoll, Plummer, Reasoner, Scofield, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 166, An act to authorize Home township, Nemaha county, to issue bonds for a certain purpose and upon certain conditions therein named,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 68 ; nays, 5.

The following gentlemen voted in the affirmative :

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Cooper, Curtain,

Davis, DeForrest, Eldridge, Forsee, Frazier, Gillespie, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J.M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Legere, Lowrey, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Reasoner, Robinson, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Veale, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Cochrane, Cummings, Dillard, Henshaw and Lowe.

Gentlemen absent or not voting were :

Messrs. Bacon, Beaty, Billings, Bond, Buchan, Crew, Cross, Ensign, Fields, Funston, Gregg, Green, Kalloch, Lane, Lanter, Mapes, McDermott, Morgan, Motz, Nugent, O'Driscoll, Plummer, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 143, An act to authorize School District No. 16, in Wabaunsee county, to build a school house and to change the present school site,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 72; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffroy, Kahler, Langdon, Larkin, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Reasoner, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Veale, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. Bacon, Beaty, Billings, Bend, Brenner, Brinkman, Green, Hungerford, Hutchings, Kalloch, Lane, Lanter, McDermott, Morgan, Motz, Nugent, O'Driscoll, Plummer, Ross, Scofield, Snyder, Titus, Tough, Turner, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Substitute for House Bills Nos. 103, 27, 34 and 121, An act declaring section lines in Wilson, Smith, Barton, Lincoln, Jewell, Russell, Wabaunsee and Harvey counties, State of Kansas, public highways,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, D. M. Adams, Baker, Bateman, Belden, Bell, Billings, Bishop, Blakely, Bowers, Brown, Buchan, Childs, Cochrane, Crew, Cross, Curtain, Davis, De-Ferrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, Morrison, Peck, Reasoner, Robinsen, Ross, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Veale, Ward, Wakefield and Wells.

Gentlemen absent or not voting were:

Messrs. Allen, Bacon, Banta, Beaty Bond, Bowron, Brenner, Brinkman, Cooper, Cummings, Funston, Gillespie, Green, Harvey, Hungerford, Hutchings, J. M. Hunter, Legere, Kalloch, Lane, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Plummer, Scofield, Snyder, Titus, Tough, Turner, Vickers, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 184, An act to vacate State roads in Atchison,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Belden, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Cochrane, Cooper, Cross, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Legere, Lowrey, Lowe, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Reasoner, Robinson, Ross, Searcy, Sellers, Sexton, Shaw, Shoemaker, Smith, Spaulding, Stratton, Veale, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Bateman, Beaty, Bell, Billings, Bond, Bowron, Brinkman, Childs, Crew, Cummings, Eldridge, Green, Harvey, Hungerford, Kalloch, Lane, Lanter, McDermott, McDonald, Morgan, Motz, O'Driscoll, Plummer, Scofield, Simpson, Snyder, Titus, Tough, Turner, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 172, An act to regulate the terms of court in the eighth judicial district,

Was read the third time.

And the question being : Shall the bill pass ?

The yeas and nays were had with the following result :

Yeas, 59; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Hodges, Hoesman, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kabler, Langdon, Larkin, Legere, Lowrey, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Reasoner, Robinson, Ross, Sellers, Shaw, Simpson, Stratton, Titus, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Beatty, Billings, Bond, Bowers, Bowron, Brinkman, Cross, Davis, Green, Henshaw, Hungerford, Hutchings, Kalloch, Lane, Lanter, Lowe, McDonald, Morgan, Motz, O'Driscoll, Plummer, Scofield, Searcy, Sexton, Shoemaker, Smith, Snyder, Spaulding, Tough, Turner, Veale, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

Mr. Titus offered

House Concurrent Resolution No. 31, Petitioning an amendment to the United States homestead laws in favor of certain claims.

By consent,

Mr. Morgan was granted leave of absence.

Mr. Davis arose to a question of privilege.

Mr. Davis offered the following resolution :

**WHEREAS**, The presence of C. A. Rohrabacker within this House is an insult to the dignity of the Legislature; therefore,

*Resolved*, That the Sergeant-at-Arms is hereby instructed to forbid said Rohrabacker the privileges of this House.

On motion.

The resolution was adopted.

---

House Bill No. 145, An act to repeal chapter 200 of the laws of 1872, entitled an act in relation to the town of Washington.

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Bateman, Belden, Bell, Blakely, Brenner, Brown, Buchan, Cummings, Eldridge, Green, Harvey, Hutchings, J. M. Hunter, James, Kalloch, Lane, Lanter, Lowe, Mapes, McDermott, McDonald, Morgan, Morrison, Motz, O'Driscoll, Plummer, Scofield, Sexton, Simpson, Smith, Snyder, Spaulding, Titus, Tough, Turner, Veale, Weaver, Willets and Mr. Speaker Kellogg.

Gentlemen absent and not voting were:

Messrs. Bacon, Baker, Banta, Beaty, Billings, Bishop, Bond, Bowers, Bowron, Brinkman, Childs, Cochrane, Cooper, Crew, Cross, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, W. J. Hunter, Jeffrey, Kahler, Langdon, Larkin, Legere, Lowrey, McLean, J. W. Miller, G. M. Miller, Nugent, Peck, Reasoner, Robinson, Ross, Searcy, Sellers,



**Shaw, Shoemaker, Stratton, Vickers, Ward, Wakefield and Wells.**

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 144, An act to amend section 72, chapter 80, of the General Statutes of 1868, to provide for constructive service in case of change of venue,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 69; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Blakely, Bond, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, McLean, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Ross, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. Bacon, Beaty, Billings, Bishop, Brinkman, Curtain, Davis, Eldridge, Green, Harper, W. J. Hunter, Kalloch, Lane, Mapes, McDermott, McDonald, J. W. Miller, Morgan,

O'Driscoll, Plummer, Scofield, Sexton, Snyder, Spaulding, Titus, Tough, Turner, Veale, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 157, An act to legalize the official acts of John McKoon of Miami county as notary public,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 67; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Baker, Bateman, Belden, Bell, Blakely, Bowers, Bowron, Brenner, Childs, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Legere, Lowrey, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Ross, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. Cochrane and Weaver.

Gentlemen absent or not voting were:

Messrs. David Adams, Bacon, Banta, Beaty, Billings,

Bishop, Bond, Brinkman, Brown, Buchan, Cross, Eldridge, Green, Hoesman, Hutchings, Kalloch, Lane, Lanter, Larkin, Lowe, McDermott, Morgan, O'Driscoll, Plummer, Scofield, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 132, An act to amend section 470, article 20 of the code of civil procedure, approved February 25, 1868,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 67; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Bel-  
den, Bell, Blakely, Brown, Buchan, Childs, Cochrane, Cooper,  
Crew, Cummings, Curtain, Davis, DeForrest, Dillard, El-  
dridge, Ensign, Fields, Forsee, Frazier, Funston, Gregg,  
Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford,  
Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J.  
Hunter, James, Jeffrey, Kahler, Langdon, Legere, Lowrey,  
Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M.  
Miller, Morrison, Reasoner, Robinson, Ross, Sellers, Sexton,  
Shaw, Simpson, Smith, Spaulding, Titus, Veale, Vickers,  
Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Cross and Lanter.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Beaty, Billings, Bishop, Bond, Bowers, Bowron, Brenner, Brinkman, Gillespie, Green, Hoesman, Kalloch, Lane, Larkin, Lowe, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Scofield, Searcy, Shoemaker, Snyder, Stratton, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 136, An act to vacate the town of Ashland, Davis county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 64 ; nays, 2.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Belden, Bell, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dilliard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Robinson, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Bateman and Hutchings.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Beaty, Billings, Bishop Bond, Brenner, Brinkman, Eldridge, Gillespie, Green, W. J. Hunter, James, Kalloch, Lane, Lowe, Mapes, McDonald, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Ross, Scofield, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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REPORTS OF STANDING COMMITTEE.

By consent,

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports :

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred

House Bill No. 293, An act amendatory of the road laws of the State of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred

House Bill No. 307, An act to vacate certain State roads in Saline county, Kansas,

Have had the same under consideration, and instruct

me to report the bill back to the House with the recommendation that it be —

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 273, An act to locate a state road from Leecompton to Big Springs, Douglas county, Kansas.

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 278, An act vacating the public square in Elk Falls, Howard county,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be referred to the Committee on Corporations.

J. BRENNER,  
*Chairman.*

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REPORT OF SPECIAL COMMITTEE.

Mr. Simpson, Chairman of the Special Committee appointed to visit the State Agricultural College, submitted the following report:

MR. SPEAKER: Your Special Committee appointed to visit the Agricultural College at Manhattan, submit the following report:

We arrived at Manhattan Friday, Feb. 11th, 1873; were met at the depot by Maj. Miller, farm superintendent, and tendered the hospitalities of the city. We were conducted to the College, and spent several hours in observing the working of the institution. We are pleased with the effi-

ciency of its management, and the proficiency manifested by the students. Our State is certainly to be congratulated upon the possession of such an institution as the Farmers' College.

The faculty is large, and fully qualified for the work, but are greatly hindered for want of suitable accommodation in building, and apparatus and library for exhibition and instruction.

The present building is too small for the advanced wants of the institution, as the museum and library are both used for recitation rooms, to the injury of the books and specimens. It is crowded to its utmost capacity, and cannot properly accommodate those who are seeking its advantages, while many more would be there could they find suitable room.

As the present building is a gift to the State by individuals, and the endowment fund—the gift of the general government—it certainly cannot be deemed unreasonable that the State should furnish suitable buildings, apparatus and library. A new building is imperatively demanded to meet the wants of the institution.

The large farm, embracing nearly three hundred acres, affords a variety of soil suitable for experiment, and exemplifying the best methods of agriculture. A barn suitable for the wants of this department has been commenced, and will be a model of elegance and adaptation. It needs an appropriation to complete it. The farm should be well stocked with samples of all the best varieties of our domestic animals.

The veterinary department is ably conducted by Prof. Detmers, whose labors in this will be of great benefit to the State. He greatly needs skeletons and subjects for dissection.

The library is greatly deficient in recent works on agriculture, horticulture, animal surgery, etc., and should at once be supplied with those needful helps.

In horticulture a good work has been begun in orchards,

nursery and forest tree culture, whose results will vastly enrich and benefit our State. This and the farm affords employment for the students, giving practical instruction in these branches, and affording them an opportunity to assist themselves. Many of the students have almost supported themselves by their own labor.

The museum, under the care of Prof. Mudge, has grown to be one of the largest and most complete in the west, and constant additions are being made to it. It greatly needs more room.

The following appropriations are asked for :

To complete improvements begun.....	\$10 000
Conducting farm, hiring labor, etc.....	4 000
Implements for farm.....	2 000
Philosophical apparatus, chemicals, etc.....	2 000
Seeds, cuttings, etc., for horticultural department.....	500
Geological survey.....	250
Shelving for museum.....	250
Veterinary department.....	500
Material for workshop.....	500
Seeds, fertilizers, etc., for farm .....	500
Library .....	1 000
Stock.....	5 000
Printing catalogue, advertising, care of buildings.....	3 500
For commencing new building.....	10 000
<b>Total.....</b>	<b>\$40 000</b>

All of which is respectfully submitted.

V. P. WILSON,  
*Chairman Senate Com.*

T. E. SIMPSON,  
*Chairman House Com.*

E. B. ALLEN,  
WM. BATEMAN,  
WM. JEFFREY,  
J. M. HUNTER,

L. J. KAHLER,  
*Secretary House Com.*



I accompanied the Select Committee, and fully approve the report.

L. N. ROBINSON,  
*Chairman Standing Com.*

The undersigned, a member of the Committee would say that my time at Manhattan was too limited to visit the College building, but I visited the new purchase of 155 acres near the city, embracing the proposed new College site, the nursery, the unfinished barn, etc., and fully concur with the within report, so far as our observation extended. I desire to say in addition, that in my judgment, this institution is fortunate in having a very able corps of managers and officers. They are energetic, live business men, thoroughly imbued with the progressive spirit of the age, and having unbounded faith in the importance of the work in which they are engaged, and a commendable confidence in their ability to make this institution a success.

A. M. BLAIR.

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REPORT OF STANDING COMMITTEE.

Mr. Veale, Chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: The Committee on Ways and Means have had under consideration

The subject of current expenses of the State Normal School at Emporia,

And have instructed me to report the accompanying bill.

An act making appropriations for current expenses of the State Normal School for the fiscal year ending November 30, 1873,

And recommend its passage.

G. W. VEALE,  
*Chairman*

By consent,

House Bill No. 20, An act in relation to the sale of school lands,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 69; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Belden, Blakely, Bowron, Brenner, Buchan, Childs, Cochrane, Cooper, Crow, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoelman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Reasoner, Robinson, Ross, Sellers, Sexton, Shaw, Shoemaker, Simpson, Spaulding, Stratton, Titus, Vickers, Veale, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were:

Messrs. Cross and Wells.

Gentlemen absent or not voting were:

Messrs. Bacon, Beaty, Bell, Billings, Bishop, Bond, Bowers, Brinkman, Brown, Cummings, Curtain, Eldridge, Green, Kalloch, Lane, Lowe, Mapes, McDonald, Morgan, O'Driscoll, Peck, Plummer, Scofield, Searcy, Smith, Snyder, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

REPORTS OF STANDING COMMITTEES.

By consent,

Mr. Banta, Chairman of the Committee on Judiciary submitted the following reports :

MR. SPEAKER : The Committee on Judiciary, to whom was referred

House Bill No. 279, An act regulating the interest of money,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, and the accompanying substitute be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER : The Committee on Judiciary and Frontier to whom was referred

House Bill No. 141, An act amendatory and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed with certain amendments thereon noted.

A. J. BANTA,  
*Chairman.*

C. REASONER,  
*Chairman Frontier.*

Mr. Reasoner, Chairman of the Committee on the Frontier, submitted the following report :

MR. SPEAKER : The Committee on Frontier, to whom was referred

House Bill No. 251, An act relating to the boundary of Sargent county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed the subject-matter being provided for in House Bill No. 141.

C. REASONER,  
*Chairman.*

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On motion,  
The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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### AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bond, Bowers, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Har-

vey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Robinson, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Veale, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

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MESSAGE FROM THE GOVERNOR.

The following message were received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, February 20, 1873. }

*To the House of Representatives :*

I have approved

Substitute for House Bill No. 23, An act to amend section 75, of chapter 24 of the General Statutes, defining the boundaries of counties,

THOMAS A. OSBORN,  
*Governor.*

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By consent,

Mr. Eldridge was excused during the remainder of the session.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Buchan,

The House went into Committee of the Whole for the consideration of Special Orders.

After some time spent therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: The Committee of the Whole House have had under consideration

Substitute for House Bill No. 2, An act to provide for the incorporation of portions of cities of the second class, under certain circumstances, as separate cities of the second class, and for other purposes,

And the Committee recommend its rejection.

Substitute for House Bill No. 39, An act to amend an act entitled an act to incorporate cities of the second class, and to repeal former acts, approved Feb. 28, 1872.

The Committee recommend it back to the House, subject to amendment and debate.

House Bill No. 289, An act making appropriations for certain persons therein named.

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868.

The Committee recommend that

House Bill No. 289,

Be passed with certain amendments therein noted.

The Committee recommend that

House Bill No. 141,

Be made a Special Order for 12 o'clock, noon, to-morrow.

H. C. SNYDER,  
*Chairman.*

Mr. D. M. Adams moved to except

House Bill No. 2

From the report of the Committee.

The yeas and nays being demanded,

The roll was called with the following result:

Yeas, 35 ; nays, 29.

Gentlemen voting in the affirmative were:

Messrs. D. M. Adams, Allen, Banta, Beaty, Blakely, Brenner, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Eldridge, Funston, Green, Harper, Harvey, Hoesman, Hungerford, Hutchings, Huntington, Kalloch, Langdon, Larkin, Mapes, McDonald, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Ward and Weaver.

Gentlemen voting in the negative were :

Messrs. Baker, Bateman, Belden, Bell, Bishop, Brown, Cross, Frazier, Gregg, Guffy, Henshaw, Hodges, Hutchinson, James, Jeffrey, Lanter, Lowrey, Lowe, McDermott, McLean, J. W. Miller, Morrison, Robinson, Sexton, Smith, Snyder, Veale, Wakefield and Wells.

Gentlemen absent or not voting were :

Messrs. David Adams, Bacon, Billings, Bond, Bowers, Bowron, Brinkman, Buchan, Dillard, Ensign, Fields, Forsee, Gillespie, J. M. Hunter, W. J. Hunter, Kahler, Lane, Legere, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peek, Plummer, Reasoner, Ross, Scofield, Searcy, Spaulding, Tough, Turner, Vickers, Willets and Mr. Speaker Kellogg.

Mr. Veale moved that a call of the House be had before the final vote on the bill was taken.

Which motion prevailed.

On motion,

Further proceedings under the call were suspended.

Mr. D. M. Adams moved that the bill be considered engrossed and placed on its third reading.

Which motion prevailed.

By consent,

Mr. Searcy was granted leave of absence.

On motion,

The House adjourned till 7½ o'clock P. M.

A. R. BANKS,

*Chief Clerk.*

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#### EVENING SESSION.

House called to order.

Speaker *pro tem.* in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Gummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoosman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, F. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Tiltus, Veale, Vickers, Ward, Wakefield, Weaver and Wells-

Quorum present.



By consent,

Mr. Langdon, Chairman of the Special Committee on Herd Law, submitted the following report:

MR. SPEAKER: The Special Committee on Herd Law, to whom was referred

House Bill No. 321, An act to protect hedges in counties where the herd law is adopted,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

S. J. LANGDON,  
*Chairman.*

By consent,

Mr. Eldridge, Chairman of the Committee on Corporations, submitted the following reports:

MR. SPEAKER: The Committee on Corporations, to whom was referred

Senate Bill No. 56, An act to authorize Montgomery county to issue bonds to pay the indebtedness of the county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

T. B. ELDRIDGE,  
*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 292, An act to provide for bridge building,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

T. B. ELDRIDGE,  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 314, An act to authorize school district No. 31, Atchison county, Kansas, to issue bonds upon a vote of a majority of the electors of said district,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

**T. B. ELDRIDGE,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 197, An act to authorize the township of Wellington, in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

**T. B. ELDRIDGE,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 278, An act vacating the public square in Elk Falls, Howard county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

**T. B. ELDRIDGE,**  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

House Bill No. 340, An act to authorize the board of county commissioners of Atchison county to issue bonds,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

T. B. ELDRIDGE,

*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 336, An act to authorize Oxford township, Sumner county, Kansas, to issue bonds to build a school house,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

T. B. ELDRIDGE,

*Chairman.*

By consent,

Mr. Sexton was granted leave of absence for ten days.

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COMMITTEE OF THE WHOLE.

On motion.

The House went into Committee of the Whole for the consideration of local bills.

Mr. Hutchinson in the chair.

After sometime spent in debate therein, the Committee arose and, through its Chairman, made the following report:

MR. SPEAKER: The Committee of the Whole House have had under consideration

House Bill No. 316, An act for the relief of Mission township, in Neosho county,

And recommend its passage.

House Bill No. 163, An act to define the boundaries of the ninth judicial district, and to fix the terms of court in the several counties thereof,

And recommend its passage with amendments.

House Bill No. 196, An act to locate a State road from Toronto, Woodson county, to Coyville, Willson county, Kansas,

And recommend its passage.

House Bill No. 200, An act to change the name of a certain road,

And recommend its passage with amendments.

House Bill No. 204, An act to legalize certain highways in the county of Clay,

And recommend its passage.

House Bill No. 156, An act for the relief of E. R. Jones, W. J. Hobson, James Holland, Wm. H. Hastings and Wm. H. Knapp, in the purchase of school lands therein named,

And recommend its passage.

House Bill No. 232, An act to authorize school district No. 4, in Greenwood county, to issue bonds,

And recommend its passage.

House Bill No. 321, An act to protect hedges in counties where the herd law is adopted.

And recommend its passage.

House Bill No. 209, An act to enable the county commissioners of Rice county to issue bonds to pay their indebtedness,

And recommend its passage.

Substitute for House Bill No. 201, An act relating to the lost records and proceedings in the county of Washington,

Was passed over.

Substitute for House Bill No. 234, An act to amend sec-

tion 72 of chapter 80 of General Statutes of 1868, entitled an act to establish a code of civil procedure,

Was passed over, not being local.

House Bill No. 203, An act to authorize the county commissioners of Russell county to issue the bonds of said county for the purpose of liquidating the county indebtedness and other purposes,

And recommend its passage.

House Bill No. 189, An act entitled an act to vacate the public park in the town of Douglas, Butler county, Kansas,

And recommend its passage.

House Bill No. 193, An act to authorize the persons therein named to exercise the rights of majority,

And recommend its rejection.

Senate Bill No. 3, An act authorizing Albert A. Brown a minor, to exercise the rights of majority,

And recommend its passage with amendment subject to amendment.

House Bill No. 270, An act for the relief of tax payers of school district No. 9, Ottawa county, Kansas,

And recommend its passage.

House Bill No. 242, An act authorizing an enumeration of persons of school age in Jewell county, Kansas,

And recommend its passage.

House Bill No. 207, An act to authorize the county commissioners of the counties of Shawnee and Wabaunsee to make appropriation for the building of a bridge across the Kansas river,

Was passed over.

House Bill No. 266, An act to authorize Alice Hill, a minor, to exercise the rights of majority,

And recommend its rejection.

House Bill No. 272, An act to change the name of Joseph Miller, of Jefferson county, Kansas,

And recommend its passage.

House Bill No. 276, An act providing for a change of name of Carrie E. L. Engle,

And recommend its passage.

House Bill No. 265, An act to vacate certain streets and alleys in the town of Doniphan,

And recommend its passage.

House Bill No. 206, An act making appropriations to aid in the development of certain Salt Springs in Sumner and Cowley counties,

Was passed over.

House Bill No. 249, An act to provide for the sinking of a drill at the Kansas State Penitentiary to determine the presence of coal or other mineral, and to secure an artesian well,

Was passed over.

House Bill No. 225, An act to determine the boundary line between Cherokee and Labette counties, Kansas,

And recommend its passage.

House Bill No. 259, An act to declare certain section lines public highways,

And recommend its passage.

House Bill No. 288, An act relating to a State road in Phillips county,

And recommend its rejection.

House Bill No. 267, An act declaring section lines public highways, in Wilmington township, Wabaunsee county,

And recommend its rejection.

House Bill No. 120, An act to legalize the official acts of the city council of the city of De Soto, a city of the third class, in Johnson county, Kansas,

And recommend its passage.

Senate Bill No. 40, To amend an act entitled an act amendatory of and supplemental to an act to incorporate cities of the first class, approved February 24. 1868, approved February 7, 1871,

And recommend its passage.

House Bill No. 241, An act to establish a State road,

And recommend its passage.

C. C. HUTCHINSON,

*Chairman.*

Mr. Legere, Chairman of the Special Committee, made the following report:

MR. SPEAKER: The Special Committee on

House Bill No. 211, An act to provide against the evils resulting from the sale of intoxicating liquors in the State of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

Buchan and Robinson dissenting.

T. C. LEGERE,

*Chairman.*

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On motion,

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

## MORNING SESSION.

FRIDAY, FEBRUARY 21, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. D. M. Adams, Allen, Beaty, Belden, Bell, Bishop, Blakely, Brown, Childs, Cochrane, Cooper, Crew, Cross, Curtain, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Eldridge, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, W. J. Hunter, Jeffrey, Kahler, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, J. W. Miller, Morrison, Motz, Nugent, Peek, Reasoner, Robinson, Ross, Scofield, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Monser.

On motion,

The reading of the Journal was dispensed with.

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PETITIONS PRESENTED.

Mr. J. W. Miller presented

Petition of Isaac Nichols and 107 others, asking that the salaries of State and county officers be increased.



Which was referred to the Committee on Fees and Salaries.

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REPORTS OF STANDING COMMITTEES.

Mr. Miller, Chairman of the Committee on Assessment and Taxation, made the following report :

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 339, An act relating to taxation,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed.

J. W. MILLER,

*Chairman.*

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: The Committee on Enrolled Bills have examined

House Bill No. 9, An act for the relief of George Campbell,

House Bill No. 5, An act authorizing the county commissioners of Cowley and Republic to issue and sell bonds to liquidate the indebtedness of said counties,

And

House Bill No. 167, An act to authorize and empower cities of the first class to purchase and acquire real estate,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

Mr. Allen, Chairman of the Committee on County Seats and County Lines, submitted the following reports :

**MR. SPEAKER:** The Committee on County Seats and County Lines, to whom was referred

House Bill No. 342, An act to legalize the survey and plat of Clay Center, Clay county, made by R. Franklin, county surveyor,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be indefinitely postponed, and substitute passed.

E. B. ALLEN,

*Chairman.*

**MR. SPEAKER:** The Committee on County Seats and County Lines, to whom was referred

House Bill No. 160, An act for the change of county lines,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that the substitute be printed.

E. B. ALLEN,

*Chairman.*

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MESSAGE FROM THE SENATE.

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has passed

Senate Bill No. 90, An act to change the terms of court in the fourteenth judicial district, and establishing courts in certain counties therein named.

Senate Bill No. 64, An act to establish a State Board of education.

Senate Bill No. 69, An act to correct an error in act entitled an act to amend an act defining the boundaries of counties.

GEO. C. CROWTHER,

*Secretary.*

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bills No. 2, Substitute and 289,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,  
Chairman.

A communication was received from the Agricultural Department.

Which was referred to the Committee on Agriculture.

Mr. W. J. Hunter offered the following resolution:

*Resolved*, That a vacancy in the Committee on Roads and Highways caused by the absence of Messrs. Billings and Sexton, from Norton and Wilson counties, be filled by appointment of other members.

Which, on motion, was adopted.

Mr. Titus offered the following resolution:

*Resolved*, That the Chief Clerk be instructed to place all bills reported upon favorably in advance of bills simply ordered to be printed.

On motion, the resolution was adopted.

Senate Concurrent Resolution No. 37, Relating to settlers on the Osage Ceded Lands,

Was taken up, and

On motion, adopted.

House Concurrent Resolution No. 30, In relation to mail routes,

Was taken up, and

On motion, adopted.

House Concurrent Resolution No. 31, Petitioning amendments to the homestead law in favor of certain claims,

Was taken up, and

On motion, adopted.

By consent,

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports :

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 325, An act in reference to roads and highways, and to amend the General Statutes, chapter 89, section 3, and chapter 175, section 1, of the laws of 1872,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

Senate Bill No. 47, An act entitled an act relating to killing of stock on railroads,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that the following substitute be passed for Senate Bill No. 47.

J. BRENNER,  
*Chairman.*

By consent,

Mr. Kalloch, Chairman of the Committee on Railroads, submitted the following report :

**MR. SPEAKER:** The Committee on Railroads, to whom was referred

Senate Bill No. 36, To authorize railroad corporations to purchase the bonds and stock of other companies and to endorse and guarantee the same, and to foreclose mortgages,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

I. S. KALLOCH,  
*Chairman.*

Messrs. Cochrane and Mapes submitted minority report from Committee on Railroads.

**MR. SPEAKER:** The Committee on Railroads, to whom was referred

Senate Bill No. 36, An act to authorize railroad companies to purchase the bonds and stock of other companies and to endorse and guarantee the same, and foreclose mortgages,

Have had the same under consideration, and in behalf of the minority, beg leave to report the bill back to the House, with the recommendation that it be rejected.

W. J. COCHRANE,  
W. H. MAPES.

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INTRODUCTION OF BILLS.

By Mr. Cummings,

House Bill No. 346, An act to legalize the actions of the the Town Company of Howard City, in the county of Howard, State of Kansas.

Read first time.

By Mr. Lowe

House Bill No. 347, An act to locate a certain State road in Douglas county.

Read first time.

By Mr. Sexton,

House Bill No. 348, An act relating to the revision of the school laws of the State of Kansas.

Read first time.

By Mr. Lowrey,

House Bill No. 349, An act to authorize Rice county to issue bonds for the development of coal.

Read first time.

By Mr. Henshaw,

House Bill No. 350, An act to amend section 88 of an act entitled an act in relation to corporations, approved Feb. 29, 1868.

Read first time.

By Mr. Henshaw,

House Bill No. 351, An act for the protection of dealers in nursery stock.

Read first time.

By Mr. Scofield,

House Bill No. 352, An act to change a name.

Read first time.

By Mr. Robinson,

House Bill No. 353, An act entitled an act to provide for the appointment of regents, directors and trustees, for the control of the public institutions of the State, and defining certain powers thereof.

Read first time.

By Mr. Shaw,

House Bill No. 354, An act to authorize school district No. 2 in Republic county to issue bonds.

Read first time.

By Mr. Fields,

House Bill No. 355, An act in relation to cities of the first class.

Read first time.

By Mr. D. M. Adams,

House Bill No. 356, An act providing for the recovery of value of stock killed or injured by railroads.

Read first time.

By Mr. D. M. Adams,

House Bill No. 357, An act to provide for the recovery of damages by fires originating from railroads.

Read first time.

On motion,

The bills just read a first time were taken up and read a second time now.

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BILLS ON SECOND READING.

House Bill No. 346, An act to legalize the actions of the Town Company of Howard City, in the county of Howard.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 347, An act to locate a certain State road in Douglas county.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 348, An act relating to the revision of the school laws of the State of Kansas.

Read the second time, and

Referred to the Committee on Education.

House Bill No. 349, An act to authorize Rice county to issue bonds for the developement of coal.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 350, An act to amend section 88 of an act entitled an act in relation to corporations, approved February 29, 1868.

Read the second time, and

Referred to the Committee on Education.

House Bill No. 351, An act for the protection of dealers in nursery stock.

Read the second time, and

Referred to the Committee on Education

House Bill No. 352, An act to change a name.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 353, An act entitled an act to provide for the appointment of regents, directors and trustees for the control of public institutions of the State and defining certain powers thereof.

Read the second time, and

Referred to the Committee on Public Institutions.

House Bill No. 354, An act to authorize school district No. 2, in Republic county, Kansas, to issue bonds.

Read the second time, and

Referred to the Leavenworth delegation.



House Bill No. 355, An act in relation to cities of the first class.

Read the second time, and

Referred to the Leavenworth Delegation.

House Bill No. 356, An act providing for the recovery of stock killed or injured by railroads.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 357, An act providing for the recovery of damages by fires originating from railroads.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

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INTRODUCTION OF BILLS.

Senate Bill No. 64, An act to establish a State board of education.

Read first time.

Senate Bill No. 69, An act to correct an error in an act to amend an act defining the boundaries of counties.

Read first time.

Senate Bill No. 90, To change the terms of court in the 14th judicial district, and establishing courts in certain counties.

Read first time.

---

BILLS ON SECOND READING.

Senate Bill No. 64, An act to establish a State board of education.

Read the second time, and

Referred to the Committee on Education.

Senate Bill No. 69, An act to correct an error in an act to amend an act defining the boundaries of counties.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

Senate Bill No. 90, To change the terms of court in the 14th judicial district, and establishing courts in certain counties.

Read the second time, and

Referred to the Committee on Judiciary.

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REPORT OF STANDING COMMITTEES.

By consent,

Mr. Fields, Chairman of the Committee composed of the Leavenworth Delegation, made the following reports.

MR. SPEAKER: The Committee of Leavenworth Delegation, to whom was referred

House Bill No. 330, An act to amend an act with reference to cities of the first class,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

H. C. FIELDS,  
*Chairman.*

MR. SPEAKER: The Committee of Leavenworth Delegation, to whom was referred

House Bill No. 229, An act to amend an act entitled an act to incorporate cities of the first class,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed with the amendments thereto attached.

H. C. FIELDS,  
*Chairman.*

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports:

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 323, An act to vacate certain streets and alleys in the city of Lecompton,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 1, An act to remove disabilities,

Have had the same under consideration and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed; names to be included in House Bill No. 90.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 327, An act to vacate a certain alley in Manhattan City, Riley county.

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 338, An act to amend an act entitled an act to incorporate the city of Eudora,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 334, An act to repeal section 58 in the code of civil procedure,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be postponed.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 331, An act to amend sections 1 and 2, chapter 9, General Statutes of 1868, respecting the Insane Asylum,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Public institutions.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

Senate Bill No. 55, An act to repeal an act to provide for issuing the bonds of Mound City township, Linn county,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 12, An act to amend an act relating to the conveyances of real estate,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 231, An act to amend sections 704, 705, and 707 of an act to establish a code of civil procedure, chapter 80 of the General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 322, An act to amend an act entitled an act to amend article 3, chapter 23 of the General Statutes,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 337, An act to remove disabilities from certain persons therein named,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be postponed, the names being included in House Bill No. 290.

A. J. BANTA,  
*Chairman.*

---

BILLS ON THIRD READING.

Mr. D. M. Adams moved to postpone House Bill No. 2, for eight days.

The yeas and nays being demanded,

The roll was called with the following result:

Yeas, 32; nays, 43.

Gentlemen voting in the affirmative were:

Messrs. D. M. Adams, Baker, Blakely, Bowers, Bowron, Brenner, Childs, Curtain, DeForrest, Harper, Harvey, Hungerford, Hutchings, W. J. Hunter, Larkin, Legere, Lowe, Mapee, McDermott, McDonald, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Titus and Weaver.

Gentlemen voting in the negative were:

Messrs. Allen, Bateman, Beaty, Relden, Bishop, Brown, Buchan, Cochrane, Cooper, Crew, Cross, Cummings, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Henshaw, Hodges, Hoesman, Hutchinson, Huntington, James, Jeffrey, Kahler, Lanter, Lowrey, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Snyder, Stratton, Veale, Wakefield and Welle.

Gentlemen absent or not voting were:

Messrs. David Adams, Bacon, Banta, Bell, Billings, Bond, Brinkman, Davis, Eldridge, J. M. Hunter, Kalloch, Lane, Langdon, Morgan, Motz, O'Driscoll, Plummer, Scofield, Searcy, Sexton, Tough, Turner, Vickers, Ward, Willets and Mr. Speaker Kellogg.

The motion was lost.

Substitute for House Bill No. 2, An act to provide for the incorporation of portions of cities of the second class, under certain circumstances, as separate cities of the second class, and for other purposes,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 19; nays, 54.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Banta, Brenner, Childs, Cochran, Cooper, Cummings, Curtain, Davis, DeForrest, Funston, Harper, Harvey, Hungerford, Larkin, Mapes, Snyder, Spaulding, Titus and Weaver.

Gentlemen voting in the negative were:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowron, Brown, Buchan, Crew, Cross, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Guffy, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Reasoner, Robinson, Ross, Sellers, Smith, Stratton, Veale and Wakefield.

Gentlemen absent or not voting were:

Messrs. Bacon, Billings, Bond, Bowers, Brinkman, Eldridge, J. M. Hunter, Kalloch, Lane, Langdon, Morgan, Motz, O'Driscoll, Plummer, Scofield, Searcy, Sexton, Shaw,

Shoemaker, Simpson, Tough, Turner, Vickers, Ward, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote in favor of the passage of the bill,

The bill was lost.

---

By consent,

Mr. Veale offered the following report:

MR. SPEAKER: The Committee on Ways and Means, have had under consideration

House Joint Resolution No. 4, Making an appropriation to James M. Matheny,

And have instructed me to report the same back to the House and recommend its passage with the following amendment and proviso:

Amend so as to read five thousand dollars instead of ten thousand dollars, and provided the said James M. Matheny accept the same as payment in full for all damages sustained by reason of the fall, and does hereby release the State from all further liability, either legal or moral.

G. W. VEALE,

*Chairman.*

Also,

By consent,

Mr. Veale introduced

House Bill No. 358, An act making appropriation for the expenses of the State Asylum for the Insane, for the fiscal year ending Nov. 30, 1873.

Read first time.

By consent,

Mr. Veale made the following report:



**MR. SPEAKER:** The Committee on Ways and Means have had under consideration

The current expenses of the State Asylum for the Insane for the fiscal year ending Nov. 30, 1873,

And instruct me to report the following bill and recommend its passage.

G. W. VEALE,  
*Chairman.*

By consent,

**Mr. Cross,** Chairman of the Committee on State Affairs, made the following report:

**MR. SPEAKER:** The Committee on State Affairs, to whom was referred

House Bill No. 328, An act to amend article 3, chapter 31 of the General Statutes,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

S. K. CROSS,  
*Chairman.*

**Mr. Buchan** moved that all bills reported to the House favorably from the Committee of the Whole of last evening, be voted upon by one roll call.

By consent,

House Bills Nos. 163, 203, 321, 120 and 276, and Senate Bill No. 3, were excepted.

---

BILLS ON THIRD READING.

Substitute for House Bill No. 39, An act to amend an act entitled an act to incorporate cities of the second class, and to repeal former acts, approved Feb. 28, 1872,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 67; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cooper, Crew, Cross, Curtain, Davis, DeForest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, Jeffrey, Kahler, Larkin, Lanter, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Peck, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. Bateman and Nugent.

Gentlemen absent and not voting were:

Messrs. Bacon, Beaty, Billings, Bond, Brenner, Briakman, Cochrane, Cummings, Eldridge, Gregg, J. M. Hunter, James, Kalloch, Lane, Langdon, Legere, Morgan, O'Driscoll, Plummer, Scofield, Searcy, Sexton, Titus, Tough, Turner, Veale, Vickers, Ward, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

On motion of Mr. Crew, the bill was ordered printed.

House Bill No. 289, An act making appropriations for certain persons therein named,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 63; nays, 6.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Belden, Bell, Blakely, Bowers, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Legere, Lowrey, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Peck, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Veale, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. D. M. Adams, Bateman, Bishop, Harper, Lanter and McDonald.

Gentlemen absent or not voting were :

Messrs. Bacon, Beaty, Billings, Bond, Bowron, Brinkman, Buchan, Eldridge, Gillespie, Guffy, Hungerford, J. M. Hunter, Kalloch, Lane, Langdon, Lowe, Morgan, Nugent, O'Driscoll, Plummer, Scofield, Searcy, Sexton, Titus, Tough, Turner, Vickers, Ward, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 316, An act for the relief of Mission township, in Neosho county,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 67; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchison, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lanter, Larkin, Legero, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Reasoner, Robinson, Ross, Shoemaker, Simpson, Smith, Spaulding, Stratton, Wakefield and Wells.

Gentlemen absent or not voting were:

Messrs. Bacon, Beaty, Billings, Bishop, Bond, Bowron, Brinkman, Eldridge, Green, Guffy, J. M. Hunter, Kalloch, Lane, Langdon, Morgan, Motz, O'Driscoll, Plummer, Scofield, Searcy, Sellers, Sexton, Shaw, Snyder, Titus, Tough, Turner, Veale, Vickers, Ward, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 163, An act to define the boundaries of

the ninth judicial district, and to fix the terms of court in the several counties thereof,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 65; nays, 1.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Beldon, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cummings, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Lanter, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Peck, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Wakefield and Weaver.

Mr. Veal voted in the negative.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Beaty, Billings, Bond, Brickman, Buchan, Cross, Curtain, Eldridge, Ensign, Funston, Gillespie, Guffy, J. M. Hunter, Kalloch, Lane, Langdon, Legere, Lowe, Morgan, Nugent, O'Driscoll, Plummer, Reasoner, Scofield, Searcy, Sexton, Spaulding, Titus, Tough, Turner, Veale, Vickers, Ward, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

On motion,

House Bills Nos. 358 and 359 ,

Were read the second time, and

House Bill No. 358,

Was referred to General Orders, and

House Bill No. 359,

To the Committee on Judiciary.

By consent,

Mr. Veale, Chairman of the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: The Committee on Ways and Means have had under consideration

The subject-matter of appropriation for the Blind Asylum for the current year ending Nov. 30, 1873,

And have instructed me to report the following bill and recommend its passage.

G. W. VEALE,

*Chairman.*

---

House Bill No. 204, An act to legalize certain highways in the county of Clay,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 2.

The following gentlemen voted in the affirmative :

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bateman, Beaty, Belden, Bell, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cooper, Cummings, Curtain, De-

Forrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Legere, Lowrey, Lowe, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Robinson, Ross, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Bishop and Snyder.

Gentlemen absent or not voting were :

Messrs. Bacon, Billings, Bond, Bowron, Brinkman, Cochran, Crew, Cross, Davis, Eldridge, Gillespie, Guffy, Harper, J. M. Hunter, Kalloch, Lane, Langdon, Lanter, McDermott, McDonald, Morgan, O'Driscoll, Plummer, Reasoner, Scofield, Searcy, Sellers, Sexton, Titus, Tough, Turner, Veale, Vickers, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

Mr. D. M. Adams was granted leave of absence for ten days.

By consent,

Mr. Plummer, Chairman of the Committee on Education, submitted the following reports :

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 315, An act for the relief of the board of education of the city of Independence,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

W. S. PLUMMER,

*Chairman.*

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On motion,

The House adjourned.

A. R. BANKS,

*Chief Clerk.*



AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Veale, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

House Bill No. 141

Being the Special Order for 2 o'clock.

By consent,

Mr. Childs was excused until Monday next.

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Mr. Buchan moved to take up bills on third reading and pass them on one roll call.

Which motion prevailed.

The following Bills being read were excepted :

House Bills Nos. 321, 209, 189, 315, 272 and 120, and  
Senate Bill No. 40.

By consent,

Mr. Jeffrey, Chairman of the Committee on Engrossed  
Bills, submitted the following report :

MR. SPEAKER: The Committee on Engrossed Bills, to  
whom was referred

House Bills Nos. 231, 163, 259, 200, 316, 196, 241, 265  
203, 242 and 270.

Have had the same under consideration, and instruct me  
to report the bills back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

Mr. Hangerford moved to consider

House Bill No. 55

Engrossed, and

That it be put on its third reading.

Which motion prevailed.

House Bill No. 270

Was read.

House Bill No. 241

Was read.

House Bill No. 242

Was read.

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MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, February 20, 1873. }

*To the House of Representatives :*

I have approved

House Bill No. 5, An act authorizing the county commissioners of Cowley and Republic to issue and sell bonds to liquidate the indebtedness of said counties.

House Bill No. 167, An act entitled an act to authorize and empower cities of the first class to purchase and acquire title to real estate for general purposes, and approaches thereto, and to regulate by contract with railroad companies the use of the same.

House Bill No. 9, An act entitled an act for the relief of George Campbell.

THOMAS A. OSBORN,  
*Governor.*

By consent,

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 156, 232 and 225,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

---

BILLS ON THIRD READING

House Bill No. 163, An act to define the boundaries of the ninth judicial district, and to fix the terms of court in the several counties thereof,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 75; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bend, Brinkman, Eldridge, Green, Kalloch, Lane, Langdon, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 196, An act to locate a State road from Toronto, Woodson county, to Coyville, Willson county, Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 75; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 200, An act to change the name of a certain road,

Was read the third time.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 75; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForreest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 204, An act to legalize certain highways in the county of Clay,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 75; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Bateman, Seaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Banta, Bacon, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 232, An act to authorize school district No. 4, in Greenwood county, to issue bonds,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 75 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dilliard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchinson, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Laogdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed. and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 156, An act for the relief of E. R. Jones, W. J. Hobson, James Holland, Wm. H. Hastings and Wm. H. Knapp, in the purchase of school lands therein named,

Was read the third time.

And the question being: Shall the bill pass?



The roll was called with the following result:

Yeas, 75 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Billings, Bond, Brenner, Brinkman, Eldridge, Hoesman, Green, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 189, An act entitled an act to vacate the public park in the town of Douglas, Butler county, Kansas,

Was read the third time.

And the question being : Shall the bill pass ?

The roll was called with the following result:

Yeas, 75 ; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peek, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Billings, Bond, Brenner, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 272, An act to change the name of Joseph Miller, of Jefferson county, Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result :

Yeas, 75 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchanan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Fanston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Kalloch, Lane, Langdon, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 265, An act to vacate certain streets and alleys in the town of Doniphan,

Was read the third time.

And the question being : Shall the bill pass ?

The roll was called with the following result:

Yeas, 75 ; nays, 0.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Baker, Bateman, Beatty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchanan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veal, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 225, An act to determine the boundary line between Cherokee and Labette counties, Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 75 ; Nays, 0.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peek, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willetts.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 259, An act to declare certain section lines public highways,

Was read the third time.

And the question being : Shall the bill pass ?

The yeas and nays were had with the following result:

Yeas, 75; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Force, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Banta, Bacon, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 241, An act to establish a State road,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, '75 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, [Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dilliard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchinson, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J.W. Miller, G. M. Miller, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 40, To amend an act entitled an act amendatory of and supplemental to an act to incorporate cities of the first class, approved February 24, 1868, approved February 7, 1871,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 75 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Kallcoch, Lane, Langdon, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 55, An act to repeal an act to provide for issuing the bonds of Mound City township, Linn county,

Was read the third time.

And the question being: Shall the bill pass?



The roll was called with the following result :

Yeas, 75 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 242, An act authorizing an enumeration of persons of school age in Jewell county; Kansas,

Was read the third time.

The question being: Shall the bill pass?

The yeas and nays were had with the following result :

Yeas, 75 ; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, J. M. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 265, An act to vacate certain streets and alleys in the town of Doniphan,

Was read the third time!

And the question being: Shall the bill pass?

The yeas and nays were had with the following result :

Yeas, 75 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lanter, Larkin, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Kalloch, Lane, Langdon, Lowe, Hoesman, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner, and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. —, An act supplemental to an act in relation to roads and highways embraced in chapter 89 section 28 of the General Statutes 1868,

Was read the third time.

And the question being: Shall the bill pass ?

The roll was called with the following result :

Yeas, 75; nays, 0.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Baker, Bateman, Beaty Beldon, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Millor, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Langdon, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 316, An act for the relief of Mission township, in Neosho county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 75 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lanter, Larkin, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Weaver, Wakefield, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Langdon, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 289, An act making appropriations for certain persons therein named,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 75 ; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Bateman, Beatty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent and not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 270, An act for the relief of tax payers of school district No. 9, Ottawa county, State of Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 75; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Langdon, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

— .

House Bill No. 209, An act to enable the county commissioners of Rice county to issue bonds to pay their indebtedness,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 75; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Croes, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Banta, Billings, Bond, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Langdon, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill.

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 315, An act for the relief of the board of education of the city of Independence,

Was read the third time.

And the question being: Shall the bill pass?



The roll was called with the following result:

Yeas, 75; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Billings, Bond, Brenner, Brinkman, Eldridge, Hoesman, Green, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 242, An act authorizing an enumeration of persons of school age in Jewell county, Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 75 ; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter W. J. Hunter, James, Jeffrey, Kahler, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peek, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Spaulding, Stratton, Titus, Veale, Vickers, Ward, Wakofield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Billings, Bond, Brenner, Brinkman, Eldridge, Green, Hoesman, Kalloch, Lane, Lowe, Morgan, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Spaulding,

The House went into Committee of the Whole on General Orders.

Mr. Hutchinson in the Chair.

After some time spent therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: The Committee of the Whole House have had under consideration

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868,

And recommend its passage with certain amendments thereon noted.

C. C. HUTCHINSON,  
*Chairman.*

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A communication from Norton county, also a letter from James Large, was received and read.

On motion,

They were referred to the Committee on the Frontier.

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REPORTS OF STANDING COMMITTEE.

By consent,

Mr. Veale, Chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

House Bill No. 59, An act to appropriate money to erect center buildings and west wing to the State Insane Asylum building,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommenda-

tion that it be rejected, and that the accompanying substitute be passed.

G. W. VEALE,  
*Chairman.*

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

House Bill No. 249, An act to provide for the sinking of a drill at the Kansas State Penitentiary to determine the presence of coal or other mineral, and to secure an artesian well,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

G. W. VEALE,  
*Chairman.*

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MR. SPEAKER: The Committee on Ways and Means, to whom was referred

House Bill No. 206, An act making appropriations to aid in the development of certain Salt Springs in Sumner and Cowley counties,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

G. W. VEALE,  
*Chairman.*

Messrs W. J. Hunter and Cross were added to the Committee on Roads and Highways.

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On motion,  
The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

MORNING SESSION.

SATURDAY, FEBRUARY 22, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names :

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Belden, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, DeForrest, Dillard, Eldridge, Ensign, Fields, Forsee, Funston, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Titus, Veale, Wakefield, Wells and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. McCabe.

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Mr. Veale, Chairman of the Committee on Ways and Means, submitted the following reports :

MR. SPEAKER : The Committee on Ways and Means, to whom was referred

House Bill No. 318, An act to amend sections 2 and 7, of an act entitled an act to provide for the settlement of the losses sustained between the years 1860 and 1871 by the settlers on the frontier from Indian depredations, of the laws of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

G. W. VEALE,  
*Chairman.*

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

The claims of Ephraim Nute for services as chaplain of the House of Representatives of the Territory of Kansas for 1859,

Have had the same under consideration, and instruct me to report the claim back to the House with the recommendation that it be rejected.

G. W. VEALE,  
*Chairman.*

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

House Bill No. 178, An act to promote immigration into the State of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be rejected.

G. W. VEALE,  
*Chairman.*

Messrs. Peck and Baker were granted leave of absence until Tuesday next.

Mr. Bowers was granted leave of absence.

On motion of Mr. Legere,

The House adjourned to meet Monday, 3 o'clock P. M.

A. R. BANKS,  
*Chief Clerk.*

AFTERNOON SESSION.

MONDAY, February 24, 1873, 3 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, DeForrest, Dilliard, Ensign, Fields, Frazier, Gillespie, Gregg, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Hutchings, Huntington, J. M. Hunter, Jeffrey, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Morgan, Morrison, Nugent, Reasoner, Ross, Sellers, Shaw, Shoemaker, Snyder, Stratton, Titus, Veale, Vickers, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Blakesly.

Journal of Saturday read and approved.

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Messrs. Brinkman, Bateman, James and Turner were granted leave of absence.

On motion of Mr. Brenner, the Committee on Roads and Highways were granted another member.

## PRESENTATION OF PETITIONS.

Mr. David Adams offered the following petitions :

A petition of citizens of Russell county, praying for a bounty law for wolf scalps.

Referred to the Committee on Agriculture and Manufactures.

A petition of citizens of Russell and Ellsworth counties, asking that railroad companies be compelled to put out fire guards.

Referred to the Committee on Agriculture and Manufactures.

A petition from citizens of Russell county, praying for the removal of the dead line westward.

Referred to the Committee on Texas Cattle.

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REPORTS OF STANDING COMMITTEES.

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bill No. 141 and Senate Bill No. 3,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,

*Chairman.*

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: The Committee on Enrolled Bills have examined

House Bill No. 48, An act legalizing acts of the city council of the city of Wichita,



And

House Bill No. 125, An act for the relief of taxpayers of school district No. 5, Neosho county, Kansas.

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

Mr. Titus, Chairman of the Committee composed of the Leavenworth Delegation, made the following report:

MR. SPEAKER: The Committee of Leavenworth Delegation, to whom was referred

House Bill No. 341, An act to amend an act entitled an act to regulate salvage, approved Feb. 23, 1869,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed.

H. C. FIELDS,

*Chairman.*

Mr. Reasoner, Chairman of the committee on Frontier in relation to Norton county, made the following report:

MR. SPEAKER: Your Committee on Frontier, to whom was referred papers from Norton county, report as follows:

1st. These papers are without acknowledgment or any other legal authentication; still they bear on their face the appearance of truthfulness.

2d. These papers purport to give a corrected census report of the population of Norton county, making that population to be less than one hundred and fifty. It seems probable that this census includes only those actually present at the time of taking the same; and moreover it might probably be enlarged to about two hundred by including temporary absentees.

3d. These papers present also a petition for the disorganization of Norton county on the ground that the same

had been organized fraudulently, and that the expense incident to the management of such an organization would be more than the people could bear.

4th. Your Committee regret that they have not in their possession ample information on this whole subject. The papers relating to the organization of Norton county, in the hands of the Secretary of State, are sufficient on their face, and are in the usual form, but there are indications in the petition for organization that one hand penned many of the signatures. It would seem, also, from these papers for organization, that the notarial seal of Mr. N. H. Billings, for Cloud county, was used in Norton county, which would probably vitiate the use of the same.

5th. Your Committee are satisfied that there could not have been six hundred inhabitants in the county at the time the census was taken, and do not hesitate to say that in their judgment such census was largely fraudulent. Neither do they believe that the organization of this county is of such a character as to entitle the same to representation in the House, and would therefore recommend that the seat of N. H. Billings be declared vacant.

C. REASONER,  
*Chairman.*

G. S. BISHOP,  
*Secretary.*

E. S. CUMMINGS,  
N. WEAVER,  
ALEX. ROSS,  
*Committee.*

On motion of Mr. McDermott, the report was ordered printed and made a Special Order for 2 o'clock P. M.

Mr. Reasoner offered

House Concurrent Resolution No. 32, In relation to the organization of Norton county.

Which was laid over under the rules.

MESSAGE FROM THE SENATE.

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has passed

Senate Bill No. 52, An act to provide for the funding of the indebtedness of Sumner county, Kansas.

Senate Bill No. 124, An act to amend an act entitled an act providing for certain improvements in Leavenworth county.

Senate Bill No. 136, An act to amend an act to authorize Toledo township to issue bonds.

Senate Bill No. 142, An act entitled an act to authorize Kentucky township, in Jefferson county, Kansas, to issue bonds.

Senate Bill No. 19, An act concerning the bridging of Great Arkansas river in Rockford township, Sedgwick county.

Senate Bill No. 10, An act to add Elm Grove township, of Labette county, to the 44th Representative district.

Senate Bill No. 108, Authorizing school district No. 7, Osage county, to issue and sell the bonds of said district.

Senate Bill No. 116, An act to limit the time for the transfer of the bonds of Atchison county to the Atchison, Oakaloosa and Lawrence railroad.

Senate Bill No. 115, An act to authorize counties of over thirty thousand inhabitants to issue bonds.

Senate Bill No. 93, An act to legalize the acts of A. A. Higginbotham as notary public.

Senate Bill No. 128, An act to exempt certain territory from the operations of an act entitled an act for the protection of stock from disease, approved February 26, 1867, and all the amendments thereto thereafter made.

Senate Bill No. 103, An act to establish a common field in Brown county.

Senate Bill No. 34, To authorize W. W. Jerome to build a mill dam across the Big Blue in Marshall county.

Senate Bill No. 61, For the relief of John B. Scott.

Senate Bill No. 34, An act to amend an act to organize a State Normal School.

Senate Bill No. 86, Relating to roads on section lines in Dickinson county.

Senate Bill No. 130, An act to authorize the township of Belle Plaine, Palestine, Oxford and Walton in the county of Summer, to vote bonds in aid of railroads.

Senate Bill No. 114, An act to provide for issuing bonds of Blue Rapids township, of Marshall county.

Senate Bill No. 122, An act to authorize the Austin mill company to build and maintain a dam across the Neosho river, in Neosho county, Kansas.

Senate Bill No. 139, An act to vacate blocks 1, 2, 3 and 4, in Drake's addition to the town of Mission, Neosho county, Kansas.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed without amendment

House Bill No. 125, An act for the relief of tax payers of school district No. 5, Neosho county.

House Bill No. 48, An act legalizing certain acts of the city council of the city of Wichita.

And has passed with amendments

House Bill No. 44, An act relating to State roads in the counties of Ellis, Rooks and Phillips.

House Bill No. 60, An act entitled an act to vacate a certain alley in the city of Garnett.

House Bill No. 78, An act to authorize school district No. 1, Coffey county, to issue additional bonds.

And has failed to pass

House Bill No. 10, An act creating a metropolitan police for cities of the first class.

House Bill No. 85, An act to authorize certain counties and incorporated cities to aid manufactures.

House Bill No. 15, An act to allow compensation to councilmen of cities of the first class.

GEO. C. CROWTHER,

*Secretary.*

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Mr. Motz moved that the House concur in Senate amendment to

House Bill No. 44, An act in relation to a State road.

The yeas and nays were had with the following result:

Yeas, 61; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams; Allen, Banta, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Frazier, Gillespie, Gregg, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Reasoner, Ross, Shaw, Shoemaker, Simpson, Snyder Spaulding, Stratton, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Bateman, Beaty, Belden, Billings, Bond, Bowron, Brinkman, Eldridge, Ensign, Forsee, Fanston, Green, Guffy, Hungerford, W. J. Hunter, James, Kahler, Kalloch, Langdon, Lanter, McLean, O'Driscoll, Peck, Plummer, Robinson, Scofield, Searcy, Sellers, Sexton, Smith, Tough, Turner, Ward, Willots and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the Senate amendment,

The Senate amendment was concurred in.

Ordered that the Chief Clerk inform the Senate thereof.

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On motion of Mr. Harvey,

Senate amendment to

House Bill No. 60, An act entitled an act to vacate a certain alley in the town of Garnett,

Was taken up, and

The roll was called with the following result:

Yeas, 60; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Banta, Beaty, Bell, Bishop, Blakely, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Frazier, Gillespie, Harper, Harvey, Henshaw, Hodges, Hutchings, Hutchinson, Huntington, J. M. Hunter, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Reasoner, Ross, Sellers, Shoemaker, Simpson, Snyder, Spaulding, Stratton, Titus, Veale, Vickers, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Bateman, Belden, Billings, Bond, Bowers, Bowron, Brinkman, Eldridge, Esign, Forsee, Funston, Gregg, Green, Guffy, Hoelman, Hungerford, W. J. Hunter, James, Kahler, Kalloch, Langdon, Lanter, Mapes, Motz, O'Driscoll, Peck, Plummer, Robinson, Scofield, Searcy, Sexton, Shaw, Smith, Tough, Turner, Ward and Wakefield.

And so a constitutional majority having voted in favor of the Senate amendment,

The amendment was concurred in.

Ordered that the Chief Clerk inform the Senate thereof.

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Senate amendment to

House Bill No. 78,

Was taken up, and

Mr. Cross moved that the amendment be concurred in.

The roll was called with the following result :

Yeas, 57 ; nays, 0.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Allen, Banta, Beaty, Bell, Bishop, Blakely, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Frazier, Gillespie, Harper, Harvey, Henshaw, Hodges, Hutchings, Hutchinson, Huntington, J. M. Hunter, Jeffrey, Larkin, Legere, Lowrey, Lowe, Mapes, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Reasoner, Ross, Sellers, Shaw, Shoemaker, Simpson, Snyder, Spaulding, Stratton, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Bateman, Belden, Billings, Bond, Bowers, Bowron, Brinkman, Eldridge, Ensign, Forsee, Funston, Gregg, Green, Guffy, Hoesman, Hungerford, W. J. Hunter, James, Kahler, Kalloch, Lane, Langdon, Lanter, McDermott, McLean, Motz, O'Driscoll, Peck, Plummer, Robinson, Scofield, Searcy, Sexton, Smith, Tough, Turner, Ward, Willetts and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the Senate amendment,

The amendment was concurred in.

Ordered that the Chief Clerk inform the Senate thereof.

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RESOLUTIONS CONSIDERED.

Mr. Mapes offered the following resolution :

WHEREAS, The Committee on Railroads having made no report on House Bill No. 110 ; therefore

*Be it resolved*, That House Bill No. 110 be withdrawn from said Committee on Railroads and referred to the Committee of the Whole House.

Which was made the Special Order for 2 o'clock P. M. Wednesday, February 26th.

On motion, the resolution, was adopted.

Mr. Titus offered the following resolution :

*Resolved*, That House Bill No. 229, referred to the Committee on Railroads, be taken from that Committee and referred to the Committee of the Whole House.

Mr. Veale moved to amend by asking the Railroad Committee to report said House Bill No. 299 back to the House.

Mr. Titus offered the following amendment to the amendment.

Which was accepted by Mr. Veale.

*Resolved*, That five members of the Railroad Committee being present at any meeting thereof, shall constitute a quorum for the transaction of business.

On motion,

The resolution as amended was adopted.

Mr. Davis offered the following resolution :

*Resolved*, That hereafter no member shall be allowed to



speaking more than five minutes on the same question unless by consent of the House.

Which resolution was adopted.

Mr. Hutchinson offered

House Concurrent Resolution No. 33, Recalling absent members of the Legislature.

Which was laid over under the rules.

Mr. Hutchings moved that all House Bills in regard to changing the code of criminal or civil procedure, and all resolutions in regard to calling a State Constitutional Convention or in reference to Constitutional amendments be made the Special Order of this evening at 7½ P. M.

Which motion prevailed.

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INTRODUCTION OF BILLS.

By Mr. Veale,

House Bill No. 361, An act for making appropriations for the support of the normal department of the Freedman's University at Quindaro, Kansas.

Read first time.

By Mr. Veale,

House Bill No. 362, An act to provide revenue for the years 1873 and 1874.

Read first time.

By Mr. Veale,

House Bill No. 363, An act making appropriations for the State University for the fiscal year ending November 30, 1873.

Read first time.

By Mr. Veale,

House Bill No. 364, An act making appropriations for the State Penitentiary for the year ending November 30, 1873.

Read first time.

By Mr. Dillard,

House Bill No. 365, A bill to vacate certain streets and alleys in Kickapoo City, Leavenworth county.

Read first time.

By Mr. Banta,

House Bill No. 366, An act to amend section 160 of article 10 of chapter 82 of the General Statutes of 1868.

Read first time.

By Mr. Banta,

House Bill No. 367, An act to amend section 3 of chapter 88 of the laws of 1871.

Read first time.

By Mr. Lane,

House Bill No. 368, An act authorizing a city of the third class to issue bonds for the purpose herein named.

Read first time.

By Mr. Reasoner,

House Bill No. 369, An act authorizing the city of Osborn to become a city of the third class.

Read first time.

By Mr. Reasoner,

House Bill No. 370, An act relating to a State road in the counties of Russell, Osborn and Smith.

Read first time.

By Mr. Reasoner,

House Bill No. 371, An act relating to a State road in the counties of Mitchell, Osborn and Rooks.

Read first time.

By Mr. Reasoner,

House Bill No. 372, An act relating to a State road in the counties of Smith, Osborn and Russell.

Read first time.

By Mr. Brown,

House Bill No. 373, An act to locate a State road.

Read first time.

By Mr. Titus,

House Bill No. 374, An act to provide for issuing the bonds of Parker township, Morris county, Kansas.

Read first time.

By Mr. Frazier,

House Bill No. 375, An act in relation to roads and highways.

Read first time.

By Mr. Vickers,

House Bill No. 376, An act to amend an act entitled an act respecting probate court.

Read first time.

By Mr. Vickers,

House Bill No. 377, An act to legalize a levy of a certain tax levied by the county commissioners of Crawford county.

Read first time.

By Mr. G. M. Miller,

House Bill No. 378, An act to encourage the manufacture of salt in the State.

Read first time.

By Mr. Hutchings,

House Bill No. 379, An act to regulate the manner of holding elections to amend the constitution, or to call a convention to revise, amend, change or form a new constitution.

Read first time.

By Mr. Sellers,

House Bill No. 380, An act supplemental to an act authorizing municipal corporate authorities to issue bonds for internal improvement.

Read first time.

By Mr. David Adams,

House Bill No. 381, An act to locate a State road in the counties of Russell, Osborn and Mitchell.

Read first time.

By Mr. David Adams,

House Bill No. 382, An act to locate a State road in the counties of Barton, Russell, Osborn and Smith.

Read first time.

By Mr. Buchan,

House Bill No. 383, An act to authorize Kansas City, Kansas, to make certain improvements therein named.

Read first time.

Senate Bill No. 114, An act to provide for issuing bonds of Blue Rapids township, of Marshall county.

Read first time.

Senate Bill No. 122, An act to authorize the Austin mill company to build and maintain a dam across the Neosho, river, in Neosho county, Kansas.

Read first time.

Senate Bill No. 139, An act to vacate blocks 1, 2, 3 and 4, in Drake's addition to the town of Mission, Neosho county Kansas.

Read first time.

Senate Bill No. 115, An act to authorize counties of over thirty thousand inhabitants to issue bonds.

Read first time.

Senate Bill No. 128, An act to exempt certain territory from the operations of an act entitled an act for the protection of stock from disease, approved February 26, 1867, and all the amendments thereto thereafter made.

Read first time.

Senate Bill No. 142, An act entitled an act to authorize Kentucky township, in Jefferson county, Kansas, to issue bonds.

Read first time.

Senate Bill No. 136, An act to amend an act to authorize Toledo township to issue bonds.

Read first time.

Senate Bill No. 52, An act to provide for the funding of the indebtedness of Sumner county, Kansas.

Read first time.

Senate Bill No. 124, An act to amend an act entitled an act providing for certain improvements in Leavenworth county.

Read first time.

Senate Bill No. 34, To authorize W. W. Jerome to build a mill dam across the Big Blue in Marshall county.

Read first time.

Senate Bill No. 108, Authorizing school district No. 7, Osage county, to issue and sell the bonds of said district.

Read first time.

Senate Bill No. 130, An act to authorize the townships of Belle Plaine, Palestine, Oxford and Walton in the county of Sumner, to vote bonds in aid of railroads.

Read first time.

Senate Bill No. 134, An act to amend an act to organize a State Normal School.

Read first time.

Senate Bill No. 10, An act to add Elm Grove township, of Labette county, to the 44th Representative district.

Read first time.

Senate Bill No. 19, An act concerning the bridging of the Great Arkansas river in Rockford township, Sedgwick county.

Read first time.

Senate Bill No. 116, An act to limit the time for the transfer of the bonds of Atchison county to the Atchison, Oskaloosa and Lawrence railroad.

Read first time.

Senate Bill No. 103, An act to establish a common field in Brown county.

Read first time.

Senate Bill No. 61, For the relief of John B. Scott.

Read first time.

Senate Bill No. 86, Relating to roads on section lines in Dickinson county.

Read first time.

Senate Bill No. 93, An act to legalize the acts of A. A. Higginbotham as notary public.

Read first time.

Mr. Lanter moved that the rules be suspended, and the bills just read, be read a second time now.

Which motion prevailed.

BILLS ON SECOND READING.

House Bill No. 361, An act for making appropriations for the support of the normal department of the Freedmen's University at Quindaro, Kansas.

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 362, An act to provide revenue for the years 1873 and 1874.

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 363, An act making appropriations for the State University for the fiscal year ending November 30, 1873.

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 364, Substitute for House Bill No. 126, An act making appropriations for the State Penitentiary for the year ending November 30, 1873.

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 365, A bill to vacate certain streets and alleys in Kickapoo City, Leavenworth county.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 366, An act to amend section 160 of article 10, chapter 82, of the General Statutes of 1868.

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 367, An act to amend section 3 of chapter 88 of the laws of 1870.

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 368, An act authorizing a city of the third class to vote bonds for the purpose herein named.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 369, An act authorizing the city of Osborn to become a city of the third class.

Read the second time, and

Referred to the Committee on Cities of the Third Class.

House Bill No. 370, An act relating to a State road in the counties of Russell, Osborn and Smith.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 371, An act relating to a State road in the counties of Mitchell, Osborn and Rooks.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 372, An act relating to a State road in the counties of Smith, Osborn and Russell.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 373, An act to locate a State road.

Read the second time, and

Referred to Committee on Roads and Highways.

House Bill No. 374, An act to provide for issuing the bonds of Parker township, Morris county, Kansas.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 375, An act in relation to roads and highways.



Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 376, An act to amend an act entitled an act respecting probate courts.

Read the second time, and

Referred to the Committee on Judiciary.

House Bill No. 377, An act to legalize a levy of a certain tax levied by the county commissioners of Crawford county.

Read the second time, and

Referred to the Committee on Assessment and Taxation.

House Bill No. 378, An act to encourage the manufacture of salt in the State.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

House Bill No. 379, An act to regulate the manner of holding elections, to amend the constitution, or to call a convention to revise, amend, change or form a new constitution.

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 380, An act supplemental to an act authorizing municipal corporate authorities to issue bonds for internal improvement.

Read the second time, and

Referred to the Committee on Corporations.

House Bill No. 381, An act to locate a State road in the counties of Russell, Osborn and Mitchell.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 382, To locate a State road in the counties of Barton, Russell, Osborn and Smith.

Read the second time, and

Referred to the Committee on Roads and Highways.

House Bill No. 383, An act to authorize Kansas City, Kansas, to make certain improvements therein named.

Mr. Buchan moved to put

House Bill No. 383

On its third reading.

Which motion prevailed.

Senate Bill No. 114, An act to provide for issuing bonds of Blue Rapids township, of Marshall county.

Read the second time, and

Referred to the Committee on Judiciary.

Senate Bill No. 122, An act to authorize the Austin Mill Company to build and maintain a dam across the Neosho river, in Neosho county.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

Senate Bill No. 139, An act to vacate certain lots, blocks, streets and alleys in towns herein named, and part of the town site of Lanesfield, in Johnson county, Kansas.

Read the second time, and

Referred to the Committee on Judiciary.

Senate Bill No. 115, An act to authorize counties of over thirty thousand inhabitants to issue bonds.

Read the second time, and

Referred to the Committee of the Leavenworth Delegation.

Senate Bill No. 128, An act to exempt certain territory from the operation of an act entitled an act for the protection of stock from disease, approved Feb. 26, 1867, and all of the amendments thereto thereafter made.

Read the second time, and

Referred to the Committee on Texas Cattle.

Senate Bill No. 142, An act to authorize Kentucky township, in Jefferson county, Kansas, to issue the bonds of said township.

Read the second time, and

Referred to the Committee on Corporations.

Senate Bill No. 136, An act to amend an act to authorize Toledo township to issue bonds.

Read the second time, and

Referred to the Committee of the Whole.

Senate Bill No. 124, An act to amend an act entitled an act providing for certain improvements in Leavenworth county.

Read the second time, and

Referred to the Committee composed of the Leavenworth Delegation.

Senate Bill No. 52, An act to provide for the funding of the indebtedness of Sumner county.

Read the second time, and

Referred to the Committee on Corporations.

Senate Bill No. 34, To authorize W. W. Jerome to build a mill dam across the Big Blue, in Marshall county.

Read the second time, and

Referred to the Committee on Agriculture and Manufactures.

Senate Bill No. 108, An act to authorize school district No. 7, Osage county, to issue and sell bonds of said district.

Read the second time, and

Referred to the Committee on Corporations

Senate Bill No. 130, An act to authorize the townships of Belle Plaine, Palestine, Oxford and Walton, in the county of Sumner, to vote bonds in aid of railroads.

Read the second time, and

Referred to the Committee on Corporations.

Senate Bill No. 131, An act to amend an act to organize a State Normal School, approved February 16, 1864.

Read the second time, and

Referred to the Committee on Education.

Senate Bill No. 10, An act to add Elm Grove township, of Labette county, to the 44th representative district.

Read the second time, and

Referred to the Committee on Elections.

Senate Bil. No. 19, An act concerning the bridging of the Great Arkansas river in Rockford township, Sedgwick county.

Read the second time, and

Referred to the Committee on Corporations.

Senate Bill No. 116, An act to limit the time for the transfer of the bonds of Aethison county to the Aethison, Oskaloosa and Lawrence railroad.

Read the second time, and

Referred to the Committee on Railroads.

Senate Bill No. 103, An act to establish a common field in Brown county.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

Senate Bill No. 61, For the relief of John B. Scott.

Read the second time, and

Referred to the Committee on Ways and Means.

Senate Bill No. 86, An act relating to roads and section lines in the county of Dickinson.

Read the second time, and

Referred to the Committee on Roads and Highways.

Senate Bill No. 93, An act to legalize the acts of A. A. Higginbotham as notary public.

Read the second time, and

Referred to the Committee on Judiciary.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Lanter,

The House went into Committee of the Whole on General Orders.

Mr. Cochrane in the Chair.

After some time spent in debate therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

House Bill No. 46, An act to amend an act entitled an act to legalize building, loan, savings institutions and to declare their acts valid, approved March 3, 1870,

And recommend its passage.

House Bill No. 148, An act to amend an act entitled an act concerning mortgages,

And recommend its passage.

House Bill No. 215, An act to establish a State road on the sixth principal meridian,

And recommend its passage.

House Bill No. 93, An act to amend section 76, article 13, chapter 107, general Statutes of 1868. Collection of taxes,

And recommend its passage.

Substitute for House Bill No. 142, An act regulating the fees of sheriffs in certain cases,

And recommend its passage.

House Bill No. 243, An act to provide for the incorporation of savings and trust companies,

And recommend its passage.

House Bill No. 122, An act to amend an act entitled an act to provide for the regulation of running at large of animals,

And recommend its passage.

House Bill No. 169, An act to promote the improvement of real estate by exempting mortgages and other securities from taxation,

And recommend its passage.

House Bill No. 235, An act to amend section 13 of chapter 68 of the General Statutes of 1868, entitled 'an act concerning mortgages,

And recommend its passage.

House Bill No. 236, An act to amend section 87, chapter 36, laws of 1868,

And recommend its passage.

Substitute for House Bill No. 201, An act relating to the lost records and proceedings in the county of Washington,

And recommend its passage.

Substitute for House Bill No. 171, An act to secure better protection against prairie fires,

And recommend its passage, subject to amendment and debate.

House Bill No. 92, An act to organize township organizations in the State of Kansas.

The Committee passed informally over this bill, and recommend that it retain its place upon the Calendar.

W. J. COCHRANE,  
*Chairman.*

On motion,

The report of the Committee was agreed to.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 40, Relating to the State Board of Agriculture,

In which your concurrence is respectfully requested.

GEO. C. CROWTHER,  
*Secretary.*

---

Mr. Lanter moved to suspend the rules and consider Senate Concurrent Resolution No. 40, In relation to the State Board of Agriculture.

The motion was adopted.

Senate Concurrent Resolution No. 40:

WHEREAS, Section 4 of an act for the encouragement of Agriculture, approved March 7, 1872, makes it the duty of the State Board of Agriculture to submit an annual report of its proceedings for the preceding year to the Legislature, and

WHEREAS, The said Board have failed to make such report to this Legislature ; therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring :*

That the President and Secretary of the State Board of Agriculture be and are hereby requested to make such report as is provided for in section 4 of an act entitled an act for the encouragement of Agriculture, approved March 7, 1872, or give satisfactory reasons why they have not done so.

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On motion,

The House adjourned till 7½ o'clock P. M.

A. R. BANKS,

*Chief Clerk.*



EVENING SESSION.

7½ O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. David Adams, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cross, Cummings, Curtain, DeForrest, Diliard, Fields, Frazier, Funston, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, W. J. Hunter, Jeffrey, Kahler, Lane, Larkin, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Spaulding, Titus, Turner, Veale, Vickers, Wakefield, Weaver, Wells, Willetts and Mr. Speaker Kellogg.

Quorum present.

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On motion of Mr Reasoner,

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 54; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, DeForrest, Dillard, Fields, Frazier, Harper, Harvey, Henshaw, Hodges, Hutchings, Hutchinson, Huntington, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Reasoner, Ross, Sellers, Shaw, Shoemaker, Simpson, Snyder, Titus, Veale, Vickers and Weaver.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Baker, Bateman, Belden, Billings, Bond, Bowron, Brinkman, Davis, Eldridge, Ensign, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Hoesman, Hungerford, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Nugent, O'Driscoll, Peck, Plummer, Robinson, Scofield, Searcy, Sexton, Smith, Spaulding, Stratton, Tough, Turner, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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#### REPORTS OF STANDING COMMITTEE.

Mr. Hutchinson, Chairman of the Committee on Cities of the Third Class, submitted the following report :

MR. SPEAKER : The Committee on Cities of the Third Class, to whom was referred

House Bill No. 369, An act authorizing the city of Osborn to become a city of the third class,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

C. C. HUTCHINSON,  
*Chairman.*

MR. SPEAKER: The Committee on Cities of the Third Class, to whom was referred

House Bill No. 368, An act authorizing a city of the third class to vote bonds for the purpose herein named,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

C. C. HUTCHINSON,  
*Chairman.*

MR. SPEAKER. The Committee on Cities of the Third Class, to whom was referred

House Bill No. 305, An act to provide for the organization of Great Bend as a city of the third class,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

C. C. HUTCHINSON,  
*Chairman.*

The following was received :

*To the Honorable Speaker of the House of Representatives of the State of Kansas :*

DEAR SIR: By order of the farmers assembled to attend the Fifth Annual Agricultural Institute, held at the Agricultural College, Manhattan, Kansas, Jan. 20th to 24th, 1873, I am instructed to forward the following resolutions:

The Committee on Railroad management and public transportation, beg leave to report as follows :

*Resolved*, 1st, That the farmer, and other producers and consumers of the products of American industry, now attending the annual Agricultural Institute of the Kansas State Agricultural College, at Manhattan, view with pleasure the present efforts in Congress to investigate and settle by national law, on a just and satisfactory basis, the present controversy between the producers and consumers of American products on the one side, and the public railroad carriers on the other, respecting rates and terms of transportation.

*Resolved*, 2d, That it is our earnest desire that such national legislation shall be speedily consummated as will remove every just cause of complaint against each other, of the classes of men above mentioned, believing as we do, that the true interests of all these necessary classes of American industry are, properly considered, substantially the same, and that the prosperity of the country is not promoted by allowing one interest or class of interests, undue legal advantage over the others.

*Resolved*, 3d, That the Secretary of this Association is instructed to furnish two copies, one to the President of the Senate, the other to the Speaker of the House of Representatives of the State Legislature now in session at the State capital, requesting that honorable body to use its best exertions to cause our Senators and Representatives in Congress to aid in carrying into effect our desires as expressed above.

JOHN DAVIS,  
L. STERNBERG,  
S. J. WILLIS,

*Committee.*

The above is a true copy of the resolutions as passed.

E. GALE,  
*Secretary.*

Mr. Buchan moved that the House now go into Committee of the Whole for the consideration of General Orders.

Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House went into Committee of the Whole on General Orders.

Mr. Reasoner in the Chair.

After sometime spent in debate therein, the Committee arose, and through its Chairman made the following report :

MR. SPEAKER: The Committee of the Whole House have had under consideration

Substitute for House Joint Resolution No. 2, Providing for a constitutional convention,

And recommend its passage.

Substitute for House Joint Resolution No. 3, Recommending a constitutional convention,

And recommend its rejection.

Substitute for House Concurrent Resolution No. 17, (changed to Joint Resolution,) Providing for an amendment to the constitution,

And recommend its passage as amended.

Line 3 amended to read 140 instead of 135.

Line 4 amended so as to read 250 instead of 200.

Line 3 amended so as to read "from and after the adoption of this amendment," instead of "until the next apportionment."

C. REASONER,  
*Chairman.*

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By consent,

Mr. Cross introduced

House Bill No. 384, An act authorizing the Governor to procure a new die or engraving for the great seal!

Which was read a first and second time, and  
Referred to the Committee of the Whole House.

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On motion,  
The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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### MORNING SESSION.

TUESDAY, FEBRUARY 25, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Brenner, Childs, Cochrane, Cross, Cummings, Davis, DeForrest, Dillard, Ensign, Forsee, Frazier Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, Lane, Larkin, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Sellers, Shaw, Shoemaker, Smith, Snyder, Vickers, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Dr. Taylor.

Pending the reading of the Journal,

Mr. Hutchings moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

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PETITIONS PRESENTED.

Mr. Smith presented

Petition of H. H. Williams and fifty others, asking for a law making compulsory attendance at school.

Which was referred to the Committee on Education.

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REPORTS OF STANDING COMMITTEES.

Mr. Childs, Chairman of the Committee on Education, submitted the following reports:

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 164, An act requiring the education of healthy children,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. F. CHILDS,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

Senate Bill No. 64, An act to establish a State Board of Education,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. F. CHILDS,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 165, An act requiring a State uniformity of school text books,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. F. CHILDS,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 174, An act to amend an act entitled an act for the regulation and support of common schools,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. F. CHILDS,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

House Bill No. 348, An act relating to the revision of the school laws of the State of Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. F. CHILDS,  
*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred



House Bill No. 350, An act to amend section 88 of an act entitled an act in relation to corporations, approved February 29, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. F. CHILDS,  
*Chairman.*

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports :

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 88, An act authorizing the county treasurer of Ellsworth county to transfer certain funds,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 187, An act to legalize the issue of certain school bonds issued by a vote of the people in school district No. 16, Douglas county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 332, An act to amend an act entitled an act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the

sale of school lands, approved February 15, 1870, approved March 2, 1871,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 333, An act to legalize the sale of certain school lands on the town site of Independence,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 308, An act for the relief of tax payers,

Have had the same under consideration and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 213, An act to legalize proceedings and assessments of the mayor and councilmen of the city of Neosho in the year 1872,

Have had the same under consideration and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Cities of the Third Class.

A. J. BANTA,  
*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 60, An act to vacate that part of the town site of the city of LeRoy lying south of the Neosho river,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

**Mr. Smith,** Chairman of the Committee on Agriculture and Manufactures, submitted the following reports:

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 326, An act to fix the liability of railroad companies for damages arising from fires set out or suffered to escape by said companies or their agents,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

REUBEN SMITH,

*Chairman.*

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 319, An act to provide for the protection of certain kinds of game,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

REUBEN SMITH,

*Chairman.*

## RESOLUTIONS CONSIDERED.

Mr. Hutchinson offered the following resolution :

*Resolved*, That the Substitute for House Concurrent Resolution No. 17 is hereby ordered to be printed as amended in Committee of the Whole, and laid upon the desks of the members before the vote is taken on its third reading.

On motion,

The resolution was adopted.

House Concurrent Resolution No. 32

Was taken up and read, and

On motion,

Was made the Special Order for Wednesday at 2 o'clock P. M.

House Concurrent Resolution No. 33, In relation to calling absent members.

On motion of Mr. Larkin,

The resolution was laid on the table.

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MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, February 22, 1873. }

*To the House of Representatives :*

I have approved

House Bill No. 48, An act legalizing acts of the city council of the city of Wichita,

And

House Bill No. 125, An act for the relief of taxpayers of school district No. 5, Neosho county, Kansas.

THOMAS A. OSBORN,

*Governor.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has adopted

Senate Concurrent Resolution No. 38, Relating to the late Senatorial election.

In which your concurrence is respectfully desired.

GEO. C. CROWTHER,

*Secretary.*

On motion of Mr. Gillespie,

The resolution was concurred in.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 40, An act in relation to penitentiary convicts, and to amend section 28, chapter 77 of the General Statutes of 1868.

Senate Bill No. 13, An act making an appropriation for the State Asylum for the deaf and dumb.

Senate Bill No. 4, An act relating to the code of civil procedure, and amendatory of section 7 of chapter 87 of the laws of 1870.

House Bill No. 86, An a act to amend an act to establish an insurance department in the State of Kansas, and to regulate the companies doing business therein, approved March 1, 1871.

GEO. C. CROWTHER,

*Secretary.*

## INTRODUCTION OF BILLS.

Senate Bill No. 13, An act making an appropriation for the State Asylum for the deaf and dumb.

Read first time.

Senate Bill No. 4, An act relating to the code of civil procedure, and amendatory of section 7 of chapter 87 of the laws of 1870.

Read first time.

By consent,

Bills read the first time were placed on second reading now.

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BILLS ON SECOND READING.

Senate Bill No. 13, An act making an appropriation for the State Asylum for the deaf and dumb.

Read the second time, and

Referred to the Committee on Ways and Means.

Senate Bill No. 4, An act relating to the code of civil procedure, and amendatory of section 7 of chapter 87 of the laws of 1870.

Read the second time, and

Referred to the Committee on Judiciary.

The following communication was received from the State Agricultural Department :

AGRICULTURAL ROOM, CAPITOL BUILDING,  
TOPEKA, February 24, 1873. }

*To the President of the Senate and the Speaker of the House of Representatives :*

In obedience to Senate Concurrent Resolution No. 40, we have the honor to report that the MS. of the agricultural

report for 1872, was placed in the hands of the Public Printer on the 18th day of November last, with the understanding that the report would be ready to place upon the desks of members during the first week of the Legislative session.

Owing to the press of public printing (as we are informed by the Public Printer), the report has been subjected to this extraordinary delay.

The volume will make about five hundred pages, with contents as follows, to-wit :

PROCEEDINGS OF THE BOARD.

Report of the eighth annual exhibition held at Topeka, September 16th to 20th, inclusive.

Report of agricultural societies under the law of last winter.

Paper on economic entomology with illustrations.

PRIZE ESSAYS.

Raising, feeding and management of hogs.

Raising, feeding and management of cattle.

Raising, feeding and management of horses.

Proper uses of manures and the maintenance of the fertility of the soil.

Practical papers on the forest trees in Kansas.

Agricultural education.

Building stones of Kansas.

Timber planting under the auspices of the Accademy of Science.

History and proceedings of the Academy of Science.

Plants of Kansas.

Birds of Kansas.

Coals of Kansas.

Red sandstones of central Kansas.

Meteorological tables from 1868 to 1873, inclusive, five years.

Geology of the Arkansas Valley.

Agricultural farm experiments.

The report will also contain the report of the State Horticultural Society for 1872, and the report of the Secretary of the State Board of Agriculture to said board.

The latter will contain statistical and other information concerning the various industries of the State, so far as it has been possible to obtain them, and a general review of agriculture for 1872.

The report will be furnished to the members of the Legislature at the earliest possible moment. We have the promise of it before adjournment.

Respectfully submitted,

E. S. NICCOLLS, *President.*

ALFRED GRAY, *Secretary.*

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#### BILLS ON THIRD READING.

House Bill No. 203, An act to authorize the county commissioners of Russell county to issue the bonds of said county for the purpose of liquidating the county indebtedness and other purposes,

Was, by consent, passed over until to-morrow, and ordered to retain its place on the Calendar.

Senate Bill No. 3, An act authorizing Albert A. Brown, a minor, to exercise the rights of majority,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 51; nays, 8.

•



Gentlemen voting in the affirmative were :

Messrs. Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Brenner, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Fields, Forsee, Funston, Gillespie, Gregg, Guffy, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, Larkin, Legere, Lowrey, Lowe, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Reasoner, Sellers, Shaw, Shoemaker, Simpson, Wakefield, Wells and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. Brown, Dillard, Ensign, Frazier, Harper, Nugent, Peck and Smith.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Beaty, Billings, Bond, Bowers, Bowron, Brinkman, Eldridge, Green, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Lanter, Mapes, McDermott, Morgan, O'Driscoll, Plummer, Robinson, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Weaver and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 276, An act providing for a change of name of Carrie E. L. Engle,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, Larkin, Legere, Lowrey, Lowe, Mapea, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peek, Plummer, Reasoner, Sellers, Shaw, Shoemaker, Smith, Titus, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Beaty, Billings, Bond, Bowron, Brinkman, Cummings, Eldridge, Green, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Lanter, O'Driscoll, Robinson, Ross, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. McDermott moved to reconsider the vote by which the bill was passed.

Which motion prevailed.

Mr. Buchan moved to amend.

Which motion prevailed.

And the question being : Shall the bill pass as amended ?

The roll was called with the following result :

Yeas, 63 ; nays, 0.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Allen, Baker, Bateman, Beatty, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Harper, Harvey, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, W. J. Hunter, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peek, Reasoner, Sellers, Shaw, Shoemaker, Simpson, Smith, Titus, Veale, Vickers, Wakefield and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Billings, Bond, Bowron, Brinkman, Eldridge, Green, Guffy, Henshaw, Hutchings, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, O'Driscoll, Plummer, Robinson, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Weaver, Willetts and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill as amended,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 120, An act to legalize the official acts of the city of De Soto, a city of the third class in Johnson county, Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 61; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cooper, Crew, Cross, Cummings, Curtain, Davis, De Forrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Harvey, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Sellers, Shaw, Shoemaker, Simpson, Spaulding, Titus, Veale, Vickers, Wakefield and Weaver.

Mr. Cochrane voted in the negative.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Beaty, Billings, Bishop, Bond, Bowron, Brinkman, Eldridge, Gillespie, Green, Guffy, Harper, Henshaw, J. M. Hunter, James, Jeffrey, Kahler, Kallech, Langden, McDermott, Morgan, O'Driscoll, Plummer, Robinson, Ross, Scofield, Searcy, Sexton, Smith, Snyder, Stratton, Tough, Turner, Ward, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 321, An act to protect hedges in counties where the herd law is adopted,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 38; nays, 22.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, DeForrest, Forsee, Frazier, Harvey, Hutchings, Hutchinson, Huntington, W. J. Hunter, Lane, Legere, Lowe, Mapes, G. M. Miller, Mots, Nugent, Plummer, Reasoner, Sellers, Shoemaker, Titus and Weaver.

Gentlemen voting in the negative were:

Messrs. Beaty, Cummings, Curtain, Davis, Dillard, Funston, Gillespie, Gregg, Harper, Hodges, Hoesman, Hungerford, Larkin, Lanter, McLean, Morrison, Peck, Simpson, Smith, Spaulding, Veale and Wakefield.

Gentlemen absent and not voting were:

Messrs. D. M. Adams, Bacon, Billings, Bishop, Bond, Bowron, Brinkman, Eldridge, Ensign, Fields, Green, Guffy, Henshaw, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Lowrey, McDermott, McDonald, J. W. Miller, Morgan, O'Driscoll, Robinson, Ross, Seofield, Searoy, Sexton, Shaw, Snyder, Stratton, Tough, Turner, Vickers, Ward, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority not having voted in favor of the bill,

The bill was lost.

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Mr. David Adams moved to reconsider the vote by which the bill was lost.

Which motion prevailed.

Mr. David Adams moved to put the bill on its third reading now, subject to amendment.

Which motion prevailed.

The bill was again put on its third reading, as amended.

Mr. Harvey moved a call of the House.

Mr. Simpson moved that further proceedings under the call of the House be dispensed with.

Which motion prevailed.

The roll was called on the final passage of the bill with the following result :

Yeas, 48; nays, 14.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gregg, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchinson, Lane, Lowe, Mapes, McDermott, McDonald, McLean, G. M. Miller, Morrison, Motz, Nugent, Plummer, Reasoner, Sellers, Shoemaker, Titus, Vickers, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Cummings, Curtain, Funston, Gillespie, Guffy, Hodges, Huntington, J. M. Hunter, W. J. Hunter, Larkin, Peck, Simpson, Smith and Wakefield.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Billings, Bond, Bowron, Brinkman, Crew, Cross, Eldridge, Green, Hutchings, James, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Legere, Lowrey, J. W. Miller, Morgan, O'Driscoll, Robinson, Ross, Seofield, Searcy, Sexton, Shaw, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote for the passage of the bill,

The bill was lost.

House Bill No. 385, An act to authorize Kansas City, Kansas, to make certain improvements therein named,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 65 ; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Belden, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Sellers, Shaw, Shoemaker, Simpson, Smith, Titus, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bell, Billings, Bishop, Bond, Bowron, Brinkman, Cross, Eldridge, Green, Hutchinson, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Lanter, McLean, Morgan, O'Driscoll, Robinson, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Substitute for House Joint Resolution No. 2, Providing for a constitutional Convention,

Was passed over and ordered to retain its place upon the Calendar.

House Bill No. 46, An act to amend an act entitled an act to legalize building, loan, savings institutions and to declare their acts valid, approved March 3, 1870,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 55; nays, 13.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Buchan,

The House went into Committee of the Whole on General Orders.

Mr. Funston in the Chair.

After some time spent in debate therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

Sub. for House Bill No. 234, An act supplemental to an act to provide for the auditing of settlement and assumption of the Price Raid claims of 1864, and Indian expedition under



Major General Curtis in July and August, 1864, approved February 19, 1869,

And recommend its passage, with certain amendments therein noted.

House Bill No. 253, An act to amend section 68 of the code of civil procedure,

And recommend its passage.

Substitute for House Bill No. 11, An act to amend section 2, chapter 26, of the General Statutes of 1868,

And recommend its rejection.

House Bill No. 248, An act supplemental to an act entitled an act in relation to fences, General Statutes of 1868.

Pending the action on this bill, the Committee arose and asked leave to sit again at 2 o'clock.

By consent,

Mr. Veale introduced the following bills:

House Bill No. 386, An act making appropriations for the Leavenworth State Normal School for the fiscal year ending November 30, 1873.

Read first and second time, and

Referred to the Committee of the Whole House.

House Bill No. 385, An act making appropriations for the State Agricultural College at Manhattan.

Read first and second time, and

Referred to the Committee of the Whole.

By consent,

Mr. Veale, Chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

House Bill No. 29, An act to provide for an Agricultural College building, and the completion of the college barn,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected, the subject-matter being provided for in substitute.

G. W. VEALE,

*Chairman.*

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 201, 142, 122 and 235,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,

*Chairman.*

Mr. Lanter moved to have a session at 7½ o'clock this p. m. and consider bills in reference to assessment and taxation.

Which motion prevailed.

Messrs. Veale and Cummings were appointed to fill vacancy caused by the absence of Messrs. Adams and Eldridge on the Committee of State Affairs.

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On motion,

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

AFTERNOON SESSION.

TUESDAY, February 25, 1873, 2 o'clock P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Belden, Bell, Bishop, Blakely, Bowors, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

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By consent,

Mr. Titus offered

House Joint Resolution No. 5, Recommending an amendment to the State constitution,

Which was

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Read the second time, and

Referred to the Committee of the Whole.

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REPORTS OF STANDING COMMITTEES.

Mr. Davis, Chairman of the Committee on Counties, submitted the following report:

MR. SPEAKER: The Committee on Counties, to whom was referred

Senate Bill No. 103, An act to establish a common field in Brown county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

W. B. DAVIS,  
*Chairman.*

Mr. Robinson, Chairman *pro tem.* of the Committee on Railroads, submitted the following report:

MR. SPEAKER: The Committee on Railroads, to whom was referred

Senate Bill No. 38, An act to legalize the organization of the Junction City and Fort Kearney Railway Company,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

ROBINSON,  
*Chairman pro tem.*

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RESOLUTION CONSIDERED.

The following resolution was received and read:

WHEREAS, The present law for the payment of taxes on the

tenth day of January in each year operates to the detriment of the farming interest, as it compels the farmer to market his produce at a season of the year when there is no market for it, and at a great sacrifice of the value of his products; therefore,

*Be it resolved*, That our present Legislature be requested to so amend the tax laws that one-half of the annual tax shall fall due on the tenth day of January, and one-half on the tenth day of July in each year.

*Resolved*, That the Secretary of this meeting be requested to furnish a copy of this resolution to the Secretary of the Senate and to the Clerk of the House, with the request that it be read to each of those bodies when convenient for business.

The foregoing resolutions were passed by the Farmers' Convention, held in the city of Topeka, on the 22d day of February, 1873.

J. M. HARVEY,  
*Secretary.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has concurred in the adoption of

House Concurrent Resolution No. 22, Relating to the Senatorial election.

T. H. CAVANAUGH,  
*Assistant Secretary.*

WHEREAS, It has been correctly reported since the expose by Senator York in the Joint Convention that other members of the Legislature have handed over to the Secretary of the Senate large sums of money, amounting to over six thousand dollars, and

WHEREAS, G. C. Crowther, the Secretary of the Senate, has reported that he was in possession of this money ; therefore,

*Be it resolved by the House of Representatives, the Senate concurring therein :*

That the Joint Committee appointed to investigate charges of corruption connected with the late Senatorial election, be and are hereby instructed to inquire into these further alleged charges, and ascertain what disposition was made of the money by the Secretary of the Senate, and make report of the same.

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COMMITTEE OF THE WHOLE.

On motion of Mr. Fields,

The House went into Committee of the Whole on General Orders.

Mr. Banta in the Chair.

After sometime spent in debate therein, the Committee arose, and through its Chairman made the following report :

MR. SPEAKER: The Committee of the Whole House have had under consideration

House Bill No. 248, An act supplemental to an act entitled an act in relation to fences, General Statutes of 1868,

And recommend that it be passed with certain amendments thereon noted.

A. J. BANTA,  
*Chairman.*

By consent,

Mr. Turner was granted leave of absence the remainder of the session.

Mr. ——— moved that Rule 35 of the House be applied to the Committee of the Whole.

## COMMUNICATION.

The following communication was received :

MAYOR'S OFFICE,  
CITY OF TOPEKA, February 25, 1873, }

HON. JOSIAH KELLOGG, *Speaker of the House of Representatives, Topeka, Kansas:*

MY DEAR SIR: The enclosed telegram I just received from G. H. Nettleton, General Superintendent of the A., T. & S. F. R. R. It is for your honorable body. Mr. Nettleton sends me word that "Nebraska people" means Nebraska Legislature.

Very Respectfully,

ORIN T. WELCH,  
*Mayor.*

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ATCHISON, February 25, 1873.

G. H. NETTLETON: Will you please make necessary arrangements with your Legislature to take care of the Nebraska people; there will be at least two hundred, including ladies. I will telegraph you fully on Friday.

M. W. TOWNE,  
*Ast. Supt. A. & N. R. R. Co.*

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Mr. Spaulding was granted leave of absence on account of sickness in his family.

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On motion,

The House adjourned till 7½ o'clock P. M.

A. R. BANKS,  
*Chief Clerk.*

## EVENING SESSION.

7½ O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. Allen, Baker, Banta, Bateman, Beaty, Belden, Bishop, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Cochrane, Crew, Cummings, DeForrest, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Peck, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Weaver and Wells.

Quorum present.

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REPORTS OF STANDING COMMITTEES.

By consent,

Mr. Allen, Chairman of the Committee on County Seats and County Lines, submitted the following reports :

MR. SPEAKER: The Committee on County Seats and County Lines, to whom was referred

Senate Bill No. 69, An act to correct an error in act entitled an act to amend an act defining the boundaries of counties,



Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

E. B. ALLEN,  
*Chairman.*

Mr. Shoemaker, Chairman of the Committee on Corporations, submitted the following reports:

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

Senate Bill No. 108, An act to authorize school district No. 7, Osage county, to issue and sell bonds of said district,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

SHOEMAKER,  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

Senate Bill No. 142, An act to authorize Kentucky township, in Jefferson county, Kansas, to issue the bonds of said township,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

SHOEMAKER,  
*Chairman.*

**MR. SPEAKER:** The Committee on Corporations, to whom was referred

Senate Bill No. 19, An act concerning the bridging of the Great Arkansas river in Rockford township, Sedgwick county.

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be referred to the Committee on Judiciary.

SHOEMAKER,

*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 346, An act to legalize the actions of the Town Company of Howard City, in the county of Howard,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

SHOEMAKER,

*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 380, An act supplemental to an act authorizing municipal corporate authorities to issue bonds for internal improvement,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

SHOEMAKER,

*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 375, An act in relation to roads and highways,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

SHOEMAKER,

*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 374, An act to provide for issuing the bonds of Parker township, Morris county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

SHOEMAKER,

*Chairman.*

Mr. Bowers, Chairman of the Committee on Elections, made the following report:

MR. SPEAKER: The Committee on Elections, to whom was referred

Senate Bill No. 10, An act to add Elm Grove township, of Labette county, to the 44th representative district,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

M. B. BOWERS,

*Chairman.*

Mr. Fields, Chairman of the Committee composed of the Leavenworth Delegation, made the following reports.

MR. SPEAKER: The Committee of Leavenworth Delegation, to whom was referred

Senate Bill No. 124, An act to amend an act entitled an act providing for certain improvements in Leavenworth county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

H. C. FIELDS,

*Chairman.*

MR. SPEAKER: The Committee of Leavenworth Delegation, to whom was referred

Senate Bill No. 115, An act to authorize counties of over thirty thousand inhabitants to issue bonds,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

H. C. FIELDS,  
*Chairman.*

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bills Nos. 234 and 253,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

Mr. Lanter moved that the House now go into Committee of the Whole on Special Orders.

Which motion prevailed.

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COMMITTEE OF THE WHOLE.

The House went into Committee of the Whole on Special Orders.

Mr. Baker in the Chair.

After some time spent therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: The Committee of the Whole House have had under consideration

House Bill No. 180, An act to provide for the assessment and collection of taxes.

The Committee report progress and ask leave to sit again.

T. H. BAKER,  
*Chairman.*

On motion,

The report of the Committee was agreed to.

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On motion,

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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MORNING SESSION.

WEDNESDAY, FEBRUARY 26, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Huntington, W. J. Hunter, James Jeffrey Lane

Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Ross, Sellers, Shaw, Simpson, Smith, Snyder, Titus, Veale, Vickers, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Cleland.

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REPORTS OF STANDING COMMITTEES.

Mr. Miller, Chairman of the Committee on Assessment and Taxation, made the following reports :

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 216, An act to amend an act to provide for the assessment and collection of taxes, approved February 27, 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

J. W. MILLER,  
*Chairman.*

MR. SPEAKER: The Committee on Assessment and Taxation, to whom was referred

House Bill No. 377, An act to legalize a levy of a certain tax levied by the county commissioners of Crawford county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Judiciary.

J. W. MILLER,  
*Chairman.*

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following reports :

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

Senate Bill No. 34, To authorize W. W. Jerome to build a mill dam across the Big Blue, in Marshall county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected, the General Statutes, page 576, making provisions for such building.

**REUBEN SMITH,**

*Chairman.*

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

Senate Bill No. 122, An act to authorize the Austin Mill Company to build and maintain a dam across the Neosho river, in Neosho county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected, the General Statutes, page 576, making provisions for such building.

**REUBEN SMITH,**

*Chairman.*

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 349, An act to authorize Rice county to issue bonds for the development of coal,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

**REUBEN SMITH,**

*Chairman.*

**MR. SPEAKER:** The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 356, An act providing for the recovery of value of stock killed or injured by railroads,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected, subject-matter being contained in House Bill No. 248.

REUBEN SMITH,  
*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 351, An act for the protection of dealers in nursery stock,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Judiciary.

REUBEN SMITH,  
*Chairman.*

Mr. Hutchinson, Chairman of the Committee on Texas Cattle, submitted the following report:

MR. SPEAKER: The Committee on Texas Cattle, to whom was referred

Senate Bill No. 128, An act to exempt certain territory from the operation of an act entitled an act for the protection of stock from disease, approved Feb. 26, 1867, and all of the amendments thereto thereafter made,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed with amendments thereon noted.

C. C. HUTCHINSON,  
*Chairman.*

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports:

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 371, An act relating to a State road in the counties of Mitchell, Osborn and Rooks,



Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed on the prayer of the accompanying petition.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 373, An act to locate a State road,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 382, To locate a State road in the counties of Barton, Russell, Osborn and Smith,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 370, An act relating to a State road in the counties of Russell, Osborn and Smith,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 381, An act to locate a State road in the counties of Russell, Osborn and Mitchell,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,

*Chairman.*

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Committee on Enrolled Bills have examined

House Bill No. 60, An act to vacate a certain alley in the city of Garnet.

House Bill No. 44, An act relating to a State road in the counties of Ellis, Rooks and Phillips.

House Bill No. 78, An act to authorize school district No. 1, Coffey county, to issue additional bonds.

House Bill No. 86, An act to amend an act to establish an insurance department in the State of Kansas, and to regulate the companies doing business therein, approved March 1, 1871.

Substitute for House Bill No. 40, An act to amend section 28, chapter 77, of General Statutes of 1868,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the adoption of

House Concurrent Resolution No. 30, In relation to mail routes.

House Concurrent Resolution No. 31; Petitioning an amendment to the United States homestead law, in favor of certain claims.

GEO. C. CROWTHER,

*Secretary.*

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RESOLUTIONS CONSIDERED.

House Concurrent Resolution No. 30, In relation to mail routes.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring :*

That the Postmaster General be and he is hereby requested to ask Congress for the establishment of a post route with tri-weekly service from Topeka, Shawnee county, to Eskridge, Wabaunsee county, by way of Auburn ; and for a semi-weekly service between Alma and Burlingame, by way of Eskridge.

*Resolved*, That the Secretary of State be and he is hereby instructed to forward a copy of the foregoing resolutions to the Postmaster General, and our Representatives and Senators in Congress.

House Concurrent Resolution No. 31, Petitioning an amendment to the United States homestead laws in favor of certain cases.

WHEREAS, The homestead act of Congress, approved June 8th, 1872, and as expressed in the third section of said act, as follows :

That any person entitled to the benefit of this act, and who has heretofore made a homestead entry of less than one

hundred and sixty acres, may enter under this act an additional quantity of land contiguous to the first entry, which shall make in the aggregate, one hundred and sixty acres, is adverse to the interests of a very large number of soldiers who, having made entries upon eighty acre homesteads, are now debarred under the law from participating in the additional eighty acres of land due them from the government, from the fact that all lands contiguous to their original entry of eighty acres of land, have, from various causes, passed from the control of the United States government; therefore,

*Be it resolved by the House of Representatives, the Senate concurring therein:*

That our Senators and Representatives in Congress are hereby earnestly requested to use all honorable means to secure the passage of an act granting to all soldiers the right of entry to eighty acres of unimproved government land wherever the same shall be selected, and subject to entry under the homestead laws: *Provided*, That said soldiers shall not have participated in the entry of more than eighty acres of land under all former homestead laws.

*Resolved*, That the Secretary of State is hereby requested to transmit a certified copy of the preceding resolution to each member of our Congressional representatives at Washington.

Mr. Hutchinson moved to meet at 7 o'clock P. M., and take into consideration all local bills.

Which motion prevailed.

Mr. Veale moved to place all appropriation bills at the head of the Calendar.

Which motion prevailed.

Mr. Childs offered the following resolution:

*Resolved*, That it is the sense of this House that the Investigating Committee be allowed a reasonable allowance

for the time occupied by them while conducting their examination. Also, that the Committees visiting the public institutions of the State be allowed actual expenses and mileage, and that the Committee on Ways and Means be instructed to provide for the same on presentation of bills properly certified to.

On motion,

The resolution was laid upon the table.

Mr. Gillespie offered the following resolution :

*Resolved*, That there be a Committee of five appointed to make inquiries in regard to whether the visit of the Nebraska people is meant a visit of the Legislature of the State of Nebraska to this body, and if so, to make any arrangements that are necessary and report the same to this House at as early a day as possible.

Mr. Nugent moved to lay the resolution on the table.

Which motion was lost.

The question recurring on the resolution,

On motion,

The resolution was adopted.

Mr. Reasoner offered the following resolution :

**WHEREAS**, Senator A. M. York, in the recent Joint Convention assembled for the purpose of electing a United States Senator, did make certain grave charges against members of said Convention, saying that such members had Pomeroy's money burning in their pockets, and stating that he knew their names and would disclose the same at the proper time, and stating that young members were particularly implicated, and

**WHEREAS**, Such charges were telegraphed over the country and published in newspapers, making a profound impression to the discredit of the Kansas Legislature, and

WHEREAS, Said A. M. York, in his testimony before the Investigating Committee appointed by the Kansas Legislature, utterly failed to sustain these charges in any respect; therefore,

*Be it Resolved*, That the language used by the said A. M. York in making these charges in Joint Convention, and his entire instrumentality on that occasion in reference to such insinuations, is highly censurable; and

*Be it further Resolved*, That said A. M. York hereby receive the censure of this House, and that the Sergeant-at-Arms of this House is hereby instructed to refuse him admission to the same.

Mr. J. M. Miller moved to lay the motion on the table.

Mr. Reasoner moved to withdraw the clause from the resolution expelling Senator York from the House.

Mr. Smith objected.

The yeas and nays being demanded on the motion to strike out the clause,

The roll was called with the following result:

Yeas, 46; nays, 26.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bowers, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Guffy, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, Laue, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, G. M. Miller, Morrison, Motz, Peck, Plummer, Reasoner, Robinson, Ross, Shaw, Shoemaker, Simpson, Titus, Wakefield, Weaver and Wells.

Gentleman voting in the negative were:

Messrs. Bateman, Beaty, Belden, Bishop, Blakely, Brenner, Brown, Buchan, Childs, Cochran, Cooper, Crew, Cross,

Funston, Gregg, Harvey, W. J. Hunter, Jeffrey, Larkin, Lanter, McDonald, J. W. Miller, Nugent, Smith, Snyder and Vickers.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Bell, Billings, Bond, Bowron, Brinkman, Eldridge, Green, Harper, James, Kahler, Kalloch, Langdon, Morgan, O'Driscoll, Scofield, Searcy, Sellers, Sexton, Spaulding, Stratton, Tough, Turner, Veale, Ward, Willets and Mr. Speaker Kellogg.

The majority having voted for the striking out of the clause,

The clause was stricken out.

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The question recurring upon the motion of Mr. Miller to lay the resolution on the table,

The roll was called with the following result:

Yeas, 35 ; nays, 41.

Gentlemen voting in the affirmative were :

Messrs. Allen, Bateman, Beaty, Relden, Bishop, Blakely, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Davis, Dillard, Funston, Guffy, Harvey, W. J. Hunter, James, Jeffrey, Lane, Larkin, Lanter, McDonald, McLean, J. W. Miller, Nugent, Peek, Plummer, Sellers, Smith, Snyder and Wakefield.

Gentlemen voting in the negative were :

Messrs. David Adams, Baker, Banta, Bowers, Brinkman, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, Legere, Lowrey, Lowe, Mapes, McDermott, G. M. Miller, Morrison, Motz, Reasoner, Robinson, Ross, Shaw, Shoemaker, Simpson, Titus, Veale, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Bell, Billings, Bond, Bowron, Eldridge, Green, Kahler, Kalloch, Langdon, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Vickers, Ward, Willets and Mr. Speaker Kellogg.

So the motion was lost.

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Mr. Harvey offered the following amendment :

That while this House cannot fully indorse the whole of the remarks of Col. York on the floor of this House, yet we hereby tender the thanks of this House to Col. York for exposing one of the greatest villains that ever disgraced the politics of the State of Kansas, namely : S. C. Pomeroy.

Mr. Fields moved that the previous question be considered.

Which motion prevailed.

The question then being on the motion to amend with Mr. Harvey's amendment,

The yeas and nays were had with the following result:

Yeas, 18; nays, 55.

The following gentlemen voted in the affirmative:

Messrs. Bateman, Beaty, Bishop, Blakely, Brenner, Brown, Cochrane, Cooper, Crew, Funston, Guffy, Harvey, Lane, Lantor, Peck, Plummer, Smith and Snyder.

Gentlemen voting in the negative were :

Messrs. David Adams, Allen, Baker, Banta, Belden, Bell, Bowers, Brinkman, Buchan, Childs, Cummings, Curtain, Davis, DeForrest, Ensign, Fields, Forsee, Frazier, Gillespie,



Gregg, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Titus, Veale, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Billings, Bond, Bowron, Cross, Dillard, Eldridge, Green, Harper, Kahler, Kalloch, Langdon, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Vickers, Ward, Willets and Mr. Speaker Kellogg.

So the amendment was lost.

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The question recurring upon the original resolution of Mr. Reasoner,

On motion,

The resolution was adopted.

Mr. Hutchings moved to reconsider the vote by which the resolution was adopted.

Mr. Baker moved to lay the motion to reconsider on the table.

Which motion prevailed.

Mr. Buchan offered the following resolution :

WHEREAS, Senator S. C. Pomery has been convicted of bribery and corruption before the House and the country, and brought disgrace upon himself and the State, thereby forfeiting all claims to respect from the people of Kansas ; therefore,

*Be it resolved*, That it is the sense of this House, that Senator Pomeroy should be invited to remain beyond the

Mr. Bishop offered the following resolution :

*Resolved*, That it is the sense of this House that Senator S. C. Pomeroy used corrupt means in the endeavor to secure his re-election, and that he is unworthy the confidence or respect of the people of Kansas.

On motion,

The resolution was adopted.

By consent,

Mr. Veale introduced,

House Bill No. 387, An act making appropriations for miscellaneous expenses.

House Bill No. 388, An act making appropriations for additional legislative expenses for the fiscal year ending November 30, 1873.

House Bill No. 389, An act making appropriations for expenses for investigation in the Pomeroy and Webb causes,

The bills were read a first and second time, and

Ordered to be placed on General Orders.

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REPORTS OF STANDING COMMITTEES.

By consent,

Mr. Robinson, Chairman *pro tem.* of the Committee on Railroads, submitted the following reports :

MR. SPEAKER: The Committee on Railroads, to whom was referred

Senate Bill No. 116, An act to limit the time for the transfer of the bonds of Atchison county to the Atchison, Oskaloosa and Lawrence railroad,

Have had the same under consideration, and instruct

me to report the bill back to the House with the recommendation that it be passed.

ROBINSON,

*Chairman pro tem.*

MR. SPEAKER: The Committee on Railroads, to whom was referred

House Bill No. 244, An act supplementary to an act to regulate freights and fares on railroads,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

ROBINSON,

*Chairman pro tem.*

MR. SPEAKER: The Committee on Railroads, to whom was referred

House Bill No. 299, An act to regulate and make uniform the prices charged by railroad companies for transporting passengers, goods, wares, merchandise and other property to and from stations or railroads in the State of Kansas, declaring the duty of certain officers in relation thereto, prescribing penalties for the violation thereof, and declaring an emergency.

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed.

ROBINSON,

*Chairman pro tem.*

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bill No. 248, An act supplemental to an act entitled an act in relation to fences, General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

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The Speaker appointed as Committee on communication received from the Mayor of the city of Topeka:

Messrs. Gillespie, Hutchings, Baker, Buchan and De-Forrest.

Mr. J. M. Miller moved to go into Committee of the Whole for the consideration of Special Orders.

Which motion prevailed.

Mr. Hutchinson moved to reconsider the vote by which the House resolved itself into Committee of the Whole.

Which motion prevailed.

Mr. Buchan moved to suspend the rules and go into Committee of the Whole on unfinished business.

Which motion was lost.

Mr. Hutchings moved to go into Committee of the Whole for the consideration of appropriation bills.

Which motion was lost.

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#### BILLS ON THIRD READING

House Joint Resolution No. 2,

And

House Bill No. 203,

Were passed over for the present.

House Bill No. 148, An act to amend an act entitled an act concerning mortgages,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 66; nays, 4.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bateman, Beatty, Belden, Bishop, Blakely, Bowers, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Langdon, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Simpson, Smith, Snyder, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Brenner, Cooper, Lanter and Shoemaker

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bell, Billings, Bond, Bowron, Cross, Eldridge, Gillespie, Green, Hoesman, Kahler, Kalloch, McDonald, Morgan, Motz, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Ward, Willets and Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Substitute for House Bill No. 171, An act to secure better protection against prairie fires,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 65; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForest, Ensign, Fields, Forsee, Frazier, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, W. J. Hunter, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentleman voting in the negative were:

Messrs. Dillard and Jeffrey.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bateman, Billings, Bond, Brinkman, Buchan, Cross, Eldridge, Funston, Gillespie Green, Harvey, Hungerford, J. M. Hunter, James, Kalloch, Kahler, Langdon, Lanter, Mapes, O'Driscoll, Ross, Seofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. J. M. Miller moved that  
House Joint Resolution No. 2

Be now considered.

Which motion prevailed.

Substitute for House Joint Resolution No. 2, Providing for a Constitutional Convention,

Was read the third time.

And the question being: Shall the resolution pass?

The roll was called with the following result:

Yeas, 68; nays, 12.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Bel-den, Bell, Bishop, Bowers, Buchan, Childs, Cochrane, Cooper, Crew, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermett, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Peck, Plummer, Reasoner, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Bateman, Blakely, Bowron, Brenner, Brown, Cummings, Henshaw, J. M. Hunter, Lanter, Nugent, Robinson and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Billings, Bond, Brinkman, Cross, Eldridge, Green, Kahler, Kalloch, Langdon, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the resolution,

The resolution passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 215, An act to establish a State road on the sixth principal meridian,

Was read the third time.

And the question being: Shall the bill pass?

Yeas, 66; nays, 1.

The roll was called with the following result:

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Bateman, Beaty, Belden, Bell, Blakely, Bowers, Bowron, Brenner, Brown, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Vickers, Wakefield and Weaver.

Mr. Guffy voted in the negative.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Banta, Billings, Bishop, Bond, Brinkman, Buchan, Childs, Croas, Eldridge, Green, Harvey, W. J. Hunter, Kahler, Kalloch, Langdon, Lanter, McDermott, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Veale, Ward, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and



The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Substitute for House Concurrent Resolution No. 17,  
(changed to Joint Resolution,) Providing for an amendment  
to the constitution,

Was read the third time.

And the question being : Shall the resolution pass ?

The roll was called with the following result :

Yeas, 76 ; nays, 1.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Allen, Baker, Banta, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brinkman, Brown, Childs, Cooper, Crew, Cummings, Curtain, Davis, De-Forrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peek, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Mr. Cochrane voted in the negative.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Bateman, Billings, Bond, Bowron, Buchan, Cross, Eldridge, Green, Kalloch, Langdon, Lanter, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Veale and Willetts.

And so a constitutional majority having voted in favor  
of the passage of the resolution,

The resolution passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

Mr. Ross was granted leave of absence until to-morrow.

Mr. McDermott moved to put

House Joint Resolution No. 16

On its third reading.

Which motion prevailed.

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House Bill No. 93, An act to amend section 76, article 13, chapter 107, general Statutes of 1868. Collection of taxes,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 68; nays, 3.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brinkman, Brown, Buchan, Childs, Cooper, Crew, Curtain, Davis, De-Forrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, James, Jeffrey, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morgan, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Vickers, Ward, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Cochrane, Cummings and Wakefield.

Gentlemen absent or not voting were:

Messrs. D.M. Adams, Bacon, Beaty Billings, Bond, Bowron, Cross, Eldridge, Green, Hutchings, J. M. Hunter, W. J. Hunter, Kalloch, Langdon, Lanter, G. M. Miller, Morrison, Motz, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Veale, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Substitute for House Bill No. 142, An act regulating the fees of sheriffs in certain cases,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 70; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Relden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cooper, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harvey, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Peek, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Cochrane and Henshaw.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Billings, Bond, Crew, Cross, Curtain, Eldridge, Green, Harper, Hutchings, J. M. Hunter, Kalloch, Langdon, Lanter, Morrison, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Veale, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 243, An act to provide for the incorporation of savings and trust companies,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 51; nays, 14.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Bateman, Belden, Bell, Bishop, Bowers, Bowron, Brenner, Brinkman, Brown, Buchanan, Childs, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Gregg, Harper, Hodges, Hutchinson, J. M. Hunter, W. J. Hunter, James, Larkin, Legere, Lowrey, Lowe, McDonald, McLean, G. M. Miller, Morgan, Morrison, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Simpson, Snyder, Titus, Wakefield, Weaver and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Banta, Beaty, Blakely, Funston, Gillespie, Harvey, Henshaw, Hungerford, Huntington, Jeffrey, Lane, Motz, Nugent, Peck and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Billings, Bond, Cochrane, Cross, Eldridge, Ensign, Green, Guffy, Hoesman, Hutchings, Kahler, Kalloch, Langdon, Lanter, Mapes, McDermott, J. W. Miller, O'Driscoll, Scofield, Searcy, Sexton, Shoemaker, Smith, Spaulding, Stratton, Tough, Turner, Veale, Vickers, Ward and Willots.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 122, An act to amend an act entitled an act to provide for the regulation of running at large of animals,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 71; nays, 2.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lanter, Larkin, Legere,

Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Beaty and Cooper.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bond, Bowron, Cross, Cummings, Curtain, Eldridge, Funston, Green, Kalloch, Lane, Langdon, Motz, O'Driscoll, Plummer, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Veale, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Substitute for House Concurrent Resolution No. 16,  
Amending section 2, article 5, of the constitution,

Was read the third time.

And the question being: Shall the resolution pass?

The roll was called with the following result:

Yeas, 74; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey,

Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, Morgan, Morrison, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Beaty, Billings, Bond, Cross, Eldridge, Ensign, Green, Hutchings, Kalloch, Langdon, Mapes, J. W. Miller, G. M. Miller, Motz, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Veale and Willets.

And so a constitutional majority having voted for the passage of the resolution,

The resolution passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 169, An act to promote the improvement of real estate by exempting mortgages and other securities from taxation,

Was read the third time.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 52; nays, 26.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cooper, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields,

Forsae, Frazier, Gillespie, Gregg, Guffy, Hodges, Hutchings, Hutchinson, Huntington, W. J. Hunter, Kahler, Larkin, Legere, Lowrey, Lowe, Mapes, McLean, G. M. Miller, Morgan, Motz, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Simpson, Snyder, Titus, Veale, Wells and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Bateman, Beaty, Brenner, Brinkman, Crew, Davis, Funston, Harper, Harvey, Henshaw, James, Jeffrey, Lane, Lanter, McDonald, J. W. Miller, Morrison, Nugent, Peck, Shoemaker, Smith, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Billings, Bond, Cochrane, Cross, Eldridge, Green, Hoosman, Hungerford, J. M. Hunter, Kalloch, Langdon, McDermott, O'Driscoll, Scofield, Searoy, Sexton, Spaulding, Stratton, Tough, Turner, Vickers and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 41, Relating to committee to investigate the affairs of State officers,

In which your concurrence is respectfully desired.

T. H. CAVANAUGH,  
*Assistant Secretary.*



On motion of Mr. Veale,  
Senate Concurrent Resolution No. 41  
Was taken up, and  
On motion, was adopted.

---

House Bill No. 235, An act to amend section 13 of chapter 68 of the General Statutes of 1868, entitled an act concerning mortgages,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 4.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bateman, Belden, Bishop, Blakely, Bowers, Bowron, Buchan, Childs, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Ross, Sellers, Shoemaker, Simpson, Snyder, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Bell, Brown, Hungerford and Robinson.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Beaty, Billings, Bond, Brenner, Brinkman, Cochrane, Cooper, Cross, Eldridge, Green, Hutchings, James, Kahler, Kallech, Langdon, Lanter, Maper, O'Driscoll, Scofield, Searcy, Sexton, Shaw, Smith,

Spaulding, Stratton, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 236, An act to amend section 87, chapter 36, laws of 1868,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 60; nays, 3.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Banta, Belden, Bell, Bishop, Bowers, Bowron, Brown, Buchan, Childs, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchinson, Huntington, W. J. Hunter, Jeffrey, Kahler, Lane, Legere, Lowrey, Lowe, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Rosa, Sellers, Shoemaker, Simpson, Smith, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Bateman, Hungerford and Ward.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Beaty, Billings, Blakely, Bond, Brenner, Brinkman, Cochrane, Cooper, Cross, Eldridge, Green, Hutchings, J. M. Hunter, James, Kalloch,

Langdon, Larkin, Lanter, Mapes, McDermott, O'Driscoll, Robinson, Scofield, Searcy, Sexton, Shaw, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Substitute for House Bill No. 201, An act relating to the lost records and proceedings in the county of Washington,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 65; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Banta, Bateman, Beldon, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields, Frazier, Gillospie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Ross, Sellers, Shoemaker, Simpson, Titus, Veale, Vickers, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Beaty, Billings, Bond, Cooper, Cross, Davis, Eldridge, Forsec, Funston, Green, J. M. Hunter, Kalloch, Langdon, Lanter, Legere, McDonald, O'Dris-

coll, Robinson, Scofield, Searcy, Sexton, Shaw, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Walls, Willetts and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Sub. for House Bill No. 234; An act supplemental to an act to provide for the auditing of settlement and assumption of the Price Raid claims of 1864, and Indian expedition under Major General Curtis in July and August, 1864, approved February 19, 1869,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 54; nays, 11.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Brenner, Brown, Buchanan, Childs, Cochrane, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harvey, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Nugent, Plummer, Reasoner, Ross, Sellers, Shoemaker, Simpson, Smith, Titus, Veale, Vickers, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were:

Messrs. Belden, Bishop, Blakely, Crew, Gregg, Harper, Henshaw, J. M. Hunter, Mapes, Motz and Peck.

Gentlemen absent and not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Bell, Billings, Bond, Bowron, Bowers, Brinkman, Cooper, Cross, Curtain, Eldridge, Green, Hutchings, Kalloch, Lanter, Morrison, O'Driscoll, Robinson, Scofield, Searcy, Sexton, Shaw, Snyder, Spaulding, Stratton, Tough, Turner, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 253, An act to amend section 68 of the code of civil procedure,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result :

Yeas, 62; nays, 3.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Belden, Bishop, Blakely, Bowron, Brinkman, Brown, Buchan, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shoemaker, Simpson, Smith, Voale, Vickers, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were:

Messrs. Brenner, Cochrane and McDonald.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Beaty, Bell, Billings, Bond, Bowers, Childs, Cooper, Cross, Eldridge, Funston, Green, Hutchings, Kalloch, Langdon, Lanter, Legere, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Shaw, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Wells, Willots and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 248, An act supplemental to an act entitled an act in relation to fences, General Statutes of 1868,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 52; nays, 15.

The following gentlemen voted in the affirmative :

Messrs. Allen, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Cummings, DeForrest, Dillard, Ensign, Fields, Funston, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchings, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lane, Larkin, Lanter, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Sellers, Shaw, Shoemaker, Smith, Titus, Vickers and Wakefield.

Gentleman voting in the negative were :

Messrs. David Adams, Buchan, Curtain, Davis, Forsee

Frazier, Hoesman, Hungerford, Hutchinson, Motz, Robinson, Ross, Simpson, Snyder and Ward.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Beaty, Billings, Bond, Brinkman, Cooper, Crew, Cross, Eldridge, Gillespie, Green, W. J. Hunter, Kalloch, Langdon, Legere, Lowrey, Morgan, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Veale, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutionnal majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

House Bills Nos. 164 and 174, and

Senate Bill No. 64, were

Referred to the Committee on Judiciary.

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On motion,

The House adjourned till 7½ o'clock P. M.

A. R. BANKS,

*Chief Clerk.*

## EVENING SESSION.

7½ O'CLOCK P. M.

House called to order.

Speaker, *pro tem* in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. David Adams, Allen, Baker, Beaty, Bell, Bishop, Blakely, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Davis, DeForrest, Ensign, Fields, Forsee, Gillespie, Gregg, Guffy, Harper, Henshaw, Hodges, Hoelman, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey Lane, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan Morrison, Motz, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Smith, Titus, Veale, Vickers, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

Seven and one-half o'clock having arrived, the hour for the consideration of all local bills on the Calendar,

The House went into Committee of the Whole for that purpose.

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COMMITTEE OF THE WHOLE.

Mr. Buchan in the Chair.

After some time spent therein the Committee arose, and through their Chairman made the following report:



**MR. SPEAKER:** The Committee of the Whole House have had under consideration

House Bill No. 340, An act to authorize the board of county commissioners of Atchison county to issue bonds,

And recommend its passage.

Substitute for House Bill No. 342, An act legalizing the survey of Clay Center, in the county of Clay, and State of Kansas,

And recommend its passage.

House Bill No. 323, An act to vacate certain streets and alleys in the city of Lecompton,

And recommend its passage.

House Bill No. 327, An act to vacate a certain alley in Manhattan City, Riley county,

And pass it over.

House Bill No. 338, An act to amend an act entitled an act to incorporate the city of Eudora,

And pass it over.

House Bill No. 335, An act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the sale of school lands, approved March 2, 1871,

And recommend its passage.

House Bill No. 343, An act to amend an act declaring section lines public highways, approved March 1, 1872,

And recommend its passage.

House Bill No. 307, An act to vacate certain State roads in Saline county, Kansas,

And recommend its passage.

House Bill No. 207, An act to authorize the county commissioners of the counties of Shawnee and Wabaunsee to

make appropriation for the building of a bridge across the Kansas river,

And recommend its rejection.

House Bill No. 306, An act to authorize the survey of township 21 south, of range 1 east,

And recommend its passage.

House Bill No. 290, An act to remove disabilities from certain persons therein named,

And recommend its passage.

House Bill No. 291, An act to vacate certain grounds in Manhattan City, Riley county,

And recommend its passage.

House Bill No. 286, An act to vacate Wood street in Miller's fourth addition to the town of Marion Center,

And recommend its passage.

House Bill No. 284, An act for the relief of Johnson county,

And pass it over.

House Bill No. 278, An act vacating the public square in Elk Falls, Howard county,

And recommend its passage.

Senate Bill No. 56, An act authorizing Montgomery county to issue bonds to pay the indebtedness of the county,

And recommend its passage.

House Bill No. 197, An act to authorize the township of Wellington, in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner,

And recommend its passage as amended.

Senate Bill No. 142, An act to authorize Kentucky township, in Jefferson county, Kansas, to issue the bonds of said township,

And recommend its passage.

Senate Bill No. 124, An act to amend an act entitled an act providing for certain improvements in Leavenworth county,

And recommend its passage.

Senate Bill No. 115, An act to authorize counties of over thirty thousand inhabitants to issue bonds,

And recommend its passage.

Senate Bill No. 103, An act to establish a common field in Brown county,

And recommend its passage.

The Committee recommend that the following bills be placed on third reading, subject to amendment and debate :

Substitute for House Bill No. 160, An act to amend an act amendatory of and supplemental to an act approved February 29, 1872, entitled an act defining the boundaries of counties, approved March 3, 1868.

House Bill No. 185, An act to distribute the railroad tax in counties bonded for building said roads equally, as per proportion of said counties' school districts.

House Bill No. 341, An act to amend an act entitled an act to regulate salvage, approved Feb. 23, 1869.

House Bill No. 226, An act amendatory to an act declaring hedges a legal fence.

House Bill No. 128, An act to amend an act entitled an act to incorporate cities of the second class, approved February 28, 1872.

House Bill No. 330, An act to amend an act with reference to cities of the first class.

House Bill No. 339, An act relating to taxation.

House Bill No. 291, An act to vacate certain grounds in Manhattan City, Riley county.

House Bill No. 262, An act to amend section 18, chapter 24, General Statutes of Kansas.

House Bill No. 368, An act authorizing a city of the third class to vote bonds for the purpose herein named.

House Bill No. 314, An act to authorize school district No. 31, Atchison county, Kansas, to issue bonds upon a vote of a majority of the electors of said district.

Substitute for House Bill No. 155, An act in relation to the division and formation of townships.

House Bill No. 268, An act to provide for a herd law in the State of Kansas.

House Bill No. 298, An act to authorize school districts to remove school houses from settlers' claims or condemn an acre or more of land in certain cases.

House Bill No. 369, An act authorizing the city of Osborn to become a city of the third class.

House Bill No. 370, An act relating to a State road in the counties of Russell, Osborn and Smith.

House Bill No. 371, An act relating to a State road in the counties of Mitchell, Osborn and Rooks.

House Bill No. 372, An act relating to a State road in the counties of Smith, Osborn and Russell.

House Bill No. 381, An act to locate a State road in the counties of Russell, Osborn and Mitchell.

House Bill No. 382, To locate a State road in the counties of Barton, Russell, Osborn and Smith.

House Bill No. 374, An act to provide for issuing the bonds of Parker township, Morris county, Kansas.

House Bill No. 349, An act to authorize Rice county to issue bonds for the development of coal.

House Bill No. 294, An act entitled an act to amend an

act to protect the people of Kansas from empiricism, and to elevate the standard of the medical profession.

House Bill No. 328, An act to amend article 3, chapter 31 of the General Statutes.

Senate Bill No. 108, An act to authorize school district No. 7, Osage county, to issue and sell bonds of said district.

Senate Bill No. 69, An act to correct an error in act entitled an act to amend an act defining the boundaries of counties.

Senate Bill No. 38, An act to legalize the organization of the Junction City and Fort Kearney Railway Company.

Also, House Bills Nos. 37, 327, 290 and 16.

W. J. BUCHAN,  
*Chairman.*

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On motion of Mr. Hutchinson,

All of the bills reported upon in favor of their passage from the Committee of the Whole, were put upon their third reading.

House Bill No. 306, An act authorizing the survey of township No. 21 south, of range 1 east,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochran,

Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Rosa, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Crose, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 290, An act to remove disabilities from certain persons therein named,

Was read the third time,

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane,

Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Mota, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 286, An act to vacate Wood street in Miller's fourth addition to the town of Marion Center,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 57 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane,

Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 284, An act for the relief of Johnson county,

Was read the third time.

Yeas, 57 ; nays, 0.

And the question being: Shall the bill pass?

The roll was called with the following result:

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Bell, Bishop Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochran,



Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 278, An act vacating the public square in Elk Falls, Howard county,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 57; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane,

Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

• Ordered that the Chief Clerk inform the Senate thereof.

---

Substitute for House Bill No. 342, An act legalizing the survey of Clay Center, in the county of Clay, and State of Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Bell, Bishop, Blakely,

Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 323, An act to vacate certain streets and alleys in the city of Lecompton,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen Bell Bishop, Blakely, Bow-

ors, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 338, An act to amend an act entitled an act to incorporate the city of Eudora,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 57 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bow

ers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermett, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 343, An act to amend an act declaring section lines public highways, approved March 1, 1872,

Was read the third time.

And the question being: Shall the bill pass ?

The roll was called with the following result :

Yeas, 57 ; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Bell, Bishop, Blakely,

Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochran, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 335, An act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the sale of school lands, approved March 2, 1871,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searoy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 307, An act to vacate certain State roads in Saline county, Kansas,

Was read the third time.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 57; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bow-

ers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 56, An act authorizing Montgomery county to issue bonds to pay the indebtedness of the county

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

The following gentlemen voted in the affirmative:



Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson. Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kallech, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Snyder, Smith, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 103, An act to establish a common field in Brown county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 142, An act to authorize Kentucky township, in Jefferson county, Kansas, to issue the bonds of said township,

Was read the third time.

And the question being : Shall the bill pass ?

The roll was called with the following result :

Yeas, 57 ; nays, 0.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peek, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willetts and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 124, An act to amend an act entitled an act providing for certain improvements in Leavenworth county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoeman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 115, An act to authorize counties of over thirty thousand inhabitants to issue bonds,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Titus, Veale, Vickers, Wakefield Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Cross, Davis, Dillard, Eldridge, Frazier, Funston, Gregg, Green, Hoesman, Hungerford, Hutchings, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Motz, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Ward Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 330, An act to amend an act with reference to cities of the first class,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result :

Yeas, 53; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bell, Bishop, Blakely, Brenner, Brinkman, Brown, Buchan, Childs, Cochran, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDonald, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Sellers, Shaw, Shoemaker, Smith, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bateman, Beaty, Belden, Billings, Bond, Bowers, Bowron, Cooper, Cross, Davis, Dillard, Eldridge, Frazier, Gregg, Green, Hoesman, Hungerford, Hutchings, W. J. Hunter, Kahler, Kalloch, Langdon, Lanter, McDermott, McLean, Morgan, Motz, Nugent, O'Driscoll, Robinson, Ross, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Stratton, Tough, Turner, Ward Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 298, An act to authorize school districts to remove school houses from settlers' claims or condemn an acre or more of land in certain cases,

Was read the third time,

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Bell, Bishop, Blakely, Brenner, Brinkman, Brown, Buchan, Childs, Cochran, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDonald, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Sellers, Shaw, Shoemaker, Smith, Titus, Vealè, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Bateman, Beaty, Belden, Billings, Bond, Bowers, Bowron, Cooper, Cross, Davis, Dillard, Eldridge, Frazier, Gregg, Green, Hoesman, Hungerford, Hutchings, W. J. Hunter, Kahler, Kalloch, Langdon, Lanter, McDermott, McLean, Morgan, Motz, Nugent, O'Driscoll, Robinson, Ross, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Stratton, Tough, Turner, Ward Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 197, An act to authorize the township of Wellington, in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 53 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Bell, Bishop, Blakely, Brenner, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDonald, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Sellers, Shaw, Shoemaker, Smith, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Bateman, Beaty, Belden, Billings, Bond, Bowers, Bowron, Brinkman, Cooper, Cross, Davis, Dillard, Eldridge, Frazier, Gregg, Green, Hoeman, Hungerford, Hutchings, W. J. Hunter, Kahler, Kalloch, Langdon, Lanter, McDermott, McLean, Morgan, Motz, Nugent, O'Driscoll, Robinson, Ross, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 108, An act to authorize school district No. 7, Osage county, to issue and sell bonds of said district,

Was read the third time.

And the question being: Shall the bill pass ?

The yeas and nays were had with the following result :



Yeas, 53; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bell, Bishop, Blakely, Brenner, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, DeForrest, Ensign, Fields, Forsee, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDonald, J. W. Miller, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Sellers, Shaw, Shoemaker, Smith, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bateman, Beaty, Belden, Billings, Bond, Bowers, Bowron, Brinkman, Cooper, Cross, Davis, Dillard, Eldridge, Frazier, Gregg, Green, Hoeman, Hungerford, Hutchings, W. J. Hunter, Kahler, Kalloch, Langdon, Lanter, McDermott, McLean, Morgan, Motz, Nugent, O'Driscoll, Robinson, Ross, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 349, An act to authorize Rice county to issue bonds for the development of coal,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Bell, Bishop, Blake-ly, Brenner, Brown, Buchan, Childs, Cochrane, Crew, Cum-  
mings, Curtain, DeForrest, Ensign, Fields, Forsee, Funston,  
Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hutch-  
inson, Huntington, J. M. Hunter, James, Jeffrey, Lane, Lar-  
kin, Legere, Lowrey, Lowe, Mapes, McDonald, J. W. Miller,  
G. M. Miller, Morrison, Peck, Plummer, Reasoner, Sellers,  
Shaw, Shoemaker, Smith, Titus, Veale, Vickers, Wakefield,  
Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bateman, Beaty,  
Belden, Billings, Bond, Bowers, Bowron, Brinkman, Cooper,  
Cross, Davis, Dillard, Eldridge, Frazier, Gregg, Green, Hoes-  
man, Hungerford, Hutchings, W. J. Hunter, Kahler, Kalloch,  
Langdon, Lanter, McDermott, McLean, Morgan, Motz, Nu-  
gent, O'Driscoll, Robinson, Ross, Scofield, Searcy, Sexton,  
Simpson, Snyder, Spaulding, Stratton, Tough, Turner, Ward,  
Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor  
of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

Mr. J. M. Hunter offered

House Concurrent Resolution No. 34, In relation to the  
Kaw Indian lands,

Which was laid over under the rules.

By consent,

Mr. Hutchinson offered the following resolution :

*Resolved by the House of Representatives :*

That the use of the Hall of the House of Representatives be and is hereby granted to the farmers of Kansas to hold a Farmers' State Convention on the 26th day of March, 1873.

On motion,

The resolution was adopted.

Mr. Fields moved to reconsider the vote by which

House Bill No. 248 was passed.

On motion of Mr. Cochrane,

The motion to reconsider was laid on the table.

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On motion,

The House adjourned.

A. B. BANKS,  
*Chief Clerk.*

## MORNING SESSION.

THURSDAY, FEBRUARY 27, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, DeForest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, W. J. Hunter, Jeffrey, Lane, Larkin, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Veale, Vickers, Ward, Wakefield, Weaver and Mr. Speaker Kellogg.

Quorum present.

Prayer by Rev. Mr. Baldrige.

On motion,

The reading of the Journal of previous day was dispensed with:

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REPORTS OF STANDING COMMITTEES.

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following reports:

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 190, An act to provide fish ways in dams,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

REUBEN SMITH,

*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 319, An act to provide for the protection of certain kinds of game,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed with the amendment striking out the word "elk."

REUBEN SMITH,

*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 357, An act providing for the recovery of damages by fires originating from railroads,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected, subject-matter being contained in House Bill No. 328.

REUBEN SMITH,

*Chairman.*

MR. SPEAKER: The Committee on Agriculture and Manufactures, to whom was referred

House Bill No. 378, An act to encourage the manufacture of salt in the State,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed with amendment striking out section 2.

REUBEN SMITH,

*Chairman.*

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports :

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 69, An act to amend an error in an act entitled an act to amend an act defining the boundaries of counties,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 351, An act for the protection of dealers in nursery stock,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,

*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 352, An act to change a name,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 365, A bill to vacate certain streets and alleys in Kickapoo City, Leavenworth county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

Senate Bill No. 114, An act to provide for issuing bonds of Blue Rapids township, of Marshall county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 320, An act supplemental to an act entitled an act regulating crimes and punishments, General Statutes of 1868,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be indefinitely postponed.

A. J. BANTA,

*Chairman.*

**MR. SPEAKER:** The Committee on Judiciary, to whom was referred

House Bill No. 329, An act to provide for building a boom across the Big Blue river in Marshall county, Kansas,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 19, An act concerning the bridging of the Great Arkansas river in Rockford township, Sedgwick county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 376, An act to amend an act entitled an act respecting probate courts,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

Mr. Veale, Chairman of the Committee on Ways and Means, submitted the following reports:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred

Senate Bill No. 161, An act entitled an act for the relief of John Hemingray,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

G. W. VEALE,  
*Chairman.*



**MR. SPEAKER:** The Committee on Ways and Means, to whom was referred

Senate Bill No. 13, An act making an appropriation for the State Asylum for the deaf and dumb,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

G. W. VEALE,

*Chairman.*

---

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT,  
TOPEKA, February 26, 1873. }

*To the House of Representatives:*

I have approved

Substitute for House Bill No. 40, An act to amend section 28, chapter 77, of General Statutes of 1868.

House Bill No. 78, An act to authorize school district No. 1, Coffey county, to issue additional bonds.

House Bill No. 44, An act relating to a State road in the counties of Ellis, Rooks and Phillips.

House Bill No. 86, An act to amend an act to establish an insurance department in the State of Kansas, and to regulate the companies doing business therein, approved March 1, 1871.

House Bill No. 60, An act to vacate a certain alley in the city of Garnet.

THOMAS A. OSBORN,

*Governor.*

to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 19, An act concerning the bridging of the Great Arkansas river in Rockford township, Sedgwick county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 376, An act to amend an act entitled an act respecting probate courts,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

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G. W. VEALE,  
*Chairman.*

**MR. SPEAKER:** The Committee on Ways and Means, to whom was referred

Senate Bill No. 13, An act making an appropriation for the State Asylum for the deaf and dumb,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

G. W. VEALE,  
*Chairman.*

---

MESSAGE FROM THE GOVERNOR.

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House Bill No. 60, An act to vacate a certain alley in the city of Garnet.

THOMAS A. OSBORN,  
*Governor.*

## MESSAGES FROM THE SENATE.

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has passed

House Bill No. 232, An act to authorize school district No. 4, in Greenwood county, to issue bonds.

GEO. C. CROWTHER,  
*Secretary.*

**MR. SPEAKER:** I am directed to inform the House of Representatives that the Senate has concurred in House amendments to

Senate Bill No. 3, An act authorizing Albert A. Brown, a minor, to exercise the rights of majority.

GEO. C. CROWTHER,  
*Secretary.*

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has passed

Senate Bill No. 53, Relating to townships and commissioners' districts in Doniphan county.

Senate Bill No. 151, An act relating to the construction of a mill dam across the Smoky Hill river.

House Bill No. 166, An act to authorize Home township, Nemaha county, to issue bonds for a certain purposes and upon certain conditions there in named.

House Bill No. 3, An act to authorize certain minors to exercise the rights of majority.

With amendments thereon noted.

Senate Bill No. 95, Making an appropriation to the State Horticultural Society.

Senate Bill No. 53, An act for the protection of prairies from incursion by fire.

GEO. C. CROWTHER,  
*Secretary.*

Mr. J. W. Miller moved to concur in the Senate amendments to

House Bill No. 3, An act to enable certain minors to exercise the rights of majority.

The roll was called with the following result :

Yeas, 61 ; nays, 1.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Childs, Cochrane, Cooper, Cummings, Curtain, DeForrest, Ensign, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Snyder, Titus, Veale, Vickers, Ward, Wakefield and Weaver.

Mr. Dillard voted in the negative.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Beaty, Billings, Bond, Brinkman, Brown, Buchan, Crew, Cross, Davis, Eldridge, Fields, Funston, Green, Hutchings, Hutchinson, James, Kahler, Kalloch, Langdon, Lanter, McDonald, Morgan, Morrison, Motz, O'Driscoll, Scofield, Searcy, Sexton, Smith, Spaulding, Stratton, Tough, Turner, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring in Senate amendments to House Bill No. 3,

The House concurred.

Mr. Cochrane offered

House Concurrent Resolution No. 34, Relating to adjournment.

Mr. Cochrane moved a suspension of the rules for the immediate consideration of the resolution.

Mr. Larkin moved to lay the resolution on the table.

Which motion prevailed.

Mr. Reasoner offered

A resolution authorizing the Secretary of State to procure for each member of the Legislature a map of the State of Kansas, as completed by the late bill defining all the territory of the State into counties.

The resolution was adopted.

Mr. Harper offered the following resolution :

*Resolved*, That the office of second Assistant Door-keeper be declared vacant, and that the Door-keeper be authorized to procure an assistant for the balance of the term.

On motion,

The resolution was adopted.

House Concurrent Resolution No. 35, In relation to the Kaw Indian Lands.

Was taken up and read and adopted.

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#### INTRODUCTION OF BILLS.

By Mr. David Adams,

House Bill No. 390, An act to appropriate fifty dollars to Eric Forsee to defray expenses of contest.

Read first time.

By Mr. Brown,

House Bill No. 391, An act to amend section 254 of an act entitled an act regulating crimes and punishments.

Read first time.

By Mr. Blakely,

House Bill No. 392, An act to amend sections 19 and 64 of chapter 24 of the General Statutes of 1868.

Read first time.

By Mr. Bishop,

House Bill No. 393, An act to establish a State road.

Read first time.

On motion,

The bills just introduced were read a second time, and referred to appropriate committees.

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BILLS ON SECOND READING.

House Bill No. 390, An act to appropriate fifty dollars to Eric Forsee to defray expenses of contest.

Read the second time, and

Referred to the Committee on Ways and Means.

House Bill No. 391, An act to amend section 254 of an act entitled an act regulating crimes and punishments.

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 392, An act to amend sections 19 and 64 of chapter 24 of the General Statutes of 1868.

Read the second time, and

Referred to the Committee on County Seats and County Lines.

House Bill No. 393, An act to establish a State road.

Read the second time, and

Referred to the Committee on Roads and Highways.

Senate Bill No. 153, An act for the protection of prairie from incursions by fire.

Read the second time, and

Referred to the Committee on Ways and Means.

Senate Bill No. 95, An act making appropriations to the State Horticultural Society of Kansas.

Read the second time, and

Referred to the Committee on Ways and Means.

Senate Bill No. 151, An act relating to the construction of a mill dam across the Smoky Hill river.

Read the second time, and

Referred to the Committee of the Whole.

Senate Bill No. 53, An act relating to county commissioners' districts.

Read the second time, and

Referred to the Committee of the Whole.

By consent,

The House changed

House Joint Resolution No. 1 to House Concurrent Resolution No. 36.

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BILLS ON THIRD READING.

On motion of Mr. Hutchings,

House Bill No. 379, An act to regulate the manner of holding elections, to amend the constitution, or to call a convention to revise, amend, change or form a new constitution,

Was put on the Calendar with bills on third reading.

House Bill No. 203, An act to authorize the county commissioners of Russell county to issue the bonds of said county for the purpose of liquidating the county indebtedness and other purposes,



Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 58; nays, 6.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Belden, Bell, Blakely, Bowers, Brenner, Brinkman, Brown, Buchan, Childs, Cooper, DeForrest, Dillard, Ensign, Fields, Forsee, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Mota, Nugent, Peck, Plummer, Ross, Sellers, Shaw, Shoemaker, Smith, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Bishop, Cummings, Davis, Frazier and Simpson.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Billings, Bond, Bowron, Cochrane, Crew, Cross, Curtain, Eldridge, Funston, Green, James, Kahler, Kalloch, Langdon, Larkin, Lanter, Lowe, Morgan, O'Driscoll, Reasoner, Robinson, Scofield, Searcy, Sexton, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 103, An act to establish a common field in Brown county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 67; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeFortest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Vickers, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bateman, Billings, Bond, Cross, Eldridge, Funston, Green, James, Kahler, Kalloch, Langdon, Larkin, Lanter, Mapes, Morgan, O'Driscoll, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 185, An act to distribute the railroad tax in counties bonded for building said roads equally, as per proportion of said counties' school districts,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 52; nays, 18.

Gentlemen voting in the affirmative were:

Messrs. Allen, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Buchan, Cochrane, Cooper, Crew, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Lanter, Legere, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Smith, Vickers and Weaver.

Gentleman voting in the negative were:

Messrs. David Adams, Baker, Brown, Childs, Cummings, Curtain, Davis, Funston, Hungerford, Lane, Lowrey, Lowe, Motz, Ward, Wakefield and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Billings, Bond, Brinkman, Cross, Eldridge, Green, J. M. Hunter, Kahler, Kallooh, Langdon, Larkin, McDermott, McDonald, Morgan, O'Driscoll, Ross, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the adoption of

Senate Concurrent Resolution No. 42, Relating to the proposed visit of the Nebraska Legislature.

GEO. C. CROWTHER,

*Secretary.*

---

On motion of Mr. Hutchinson,

The rules were suspended, and the resolution was considered.

On motion,

The resolution was adopted.

The Committee on the Mayor's communication was appointed to act also on this resolution.

---

Senate Bill No. 128, An act to exempt certain territory from the operation of an act entitled an act for the protection of stock from disease, approved Feb. 26, 1867, and all of the amendments thereto thereafter made,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 67; nays, 3.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Brenner, Brinkman, Brown, Childe, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, Jeffrey, Lane, Lanter, Legere, Lowrey, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz,

Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Simpson, Smith, Veale, Vickers, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were :

Messrs. Beaty, Funston and James.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Billings, Bond, Bowron, Buchan, Cross, Eldridge, Green, Hungerford, W. J. Hunter, Kahler, Kalloch, Langdon, Larkin, Lowe, McDonald, O'Driscoll, Scofield, Searcy, Sexton, Shoemaker, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 262, An act to amend section 18, chapter 24, General Statutes of Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 69 ; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harvey, Henshaw, Hodges, Hoesman,

Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Veale, Vickers, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Billings, Bond, Brenner, Cross, Curtain, Eldridge, Green, Harper, Kahler, Kalloch, Langdon, Lanter, Lowrey, Morgan, O'Driscoll, Reasoner, Scofield, Searcy, Sexton, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

On motion of Mr. Simpson,

The following bills were put on third reading subject to amendment and debate:

Substitute for House Bill No. 224, An act supplemental to an act for the encouragement of agriculture, approved February 19, 1872.

House Bill No. 313, An act relating to district and county agricultural societies and farmers' clubs, and amendatory of section 2 of chapter 37 of the Statutes of 1872, relating to the State Agricultural Society.

House Bill No. 261, An act to amend section 52, chapter 102, General Statutes.

House Bill No. 128, An act to amend an act entitled an act to incorporate cities of the second class, approved February 28, 1872.

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 65; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Belden, Bell, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Legere, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Peek, Plummer, Reasoner, Robinson, Ross, Sellers, Simpson, Smith, Veale, Vickers, Ward, Wakefield and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Billings, Bishop, Bond, Cross, Eldridge, Fields, Funston, Green, Henshaw, Hutchings, Kahler, Kalloch, Langdon, Larkin, Lanter, Lowrey, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Shaw, Shoemaker, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Substitute for House Bill No. 155, An act in relation to the division and formation of townships,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Belden, Bell, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Peck, Plummer, Reasoner, Robinson, Sellers, Shoemaker, Simpson, Smith, Veale, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Billings, Bond, Bishop, Brinkman, Cochrane, Cross, Eldridge, Fields, Funston, Green, Hutchings, James, Kahler, Kalloch, Langdon, Larkin, Lanter, Motz, McDermott, Nugent, O'Driscoll, Ross, Scofield, Searcy, Sexton, Shaw, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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#### INTRODUCTION OF BILLS.

By consent, 1



Mr. Veale introduced,

House Bill No. 394, An act making appropriations for the current expenses of the State for the Deaf and Dumb.

Read the first time.

Mr. Veale introduced

House Bill No. 395, An act making appropriations for completing the eastern portico of the State House, and for care and improvement of the State House grounds.

Read first time.

Mr. Banta introduced

House Bill No. 396, An act amendatory of chapter 95 of the Statutes of the State of Kansas, approved March 1, 1872.

Read first time.

On motion,

The bills just introduced were read a second time, and referred to appropriate committees.

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BILLS ON SECOND READING.

House Bill No. 394, An act making appropriations for the current expenses of the State Asylum for the Deaf and Dumb.

Read the second time, and

Referred to the Committee of the Whole

House Bill No 395, An act making appropriations for completing the eastern portico of the State House, and for the care and improvement of the State House Grounds.

Read second time, and

Referred to the Committee of the Whole.

House Bill No. 396, An act amendatory of chapter 95 of the Statutes of the State of Kansas, approved March 1, 1872,

Read second time, and

Referred to the Committee of the Whole.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has appointed as Committee on part of the Senate on

Senate Concurrent Resolution No. 42, In relation to the visit of the Nebraska Legislature,

Messrs. J. C. Wilson, Crichton and Moonlight.

GEO. C. CROWTHER,

*Secretary.*

---

House Bill No. 340, An act to authorize the board of county commissioners of Atchison county to issue bonds,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 63; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Belden, Bell, Blakely, Bowers, Bowron, Brenner, Brinkman, Cochrane, Cooper, Crew, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Vickers and Wakefield.

Gentlemen voting in the negative were :

Messrs. Lanter and Ward.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Bateman, Billings, Bond, Bishop, Brown, Buchan, Childs, Cross, Curtain, Eldridge, Green, Hutchings, Hutchinson, Kahler, Kalloch, Langdon, Motz, O'Driscoll, Peck, Scofield, Searcy, Sexton, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Veale, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 327, An act to vacate a certain alley in Manhattan City, Riley county,

Was read the third time.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 52; nays, 14.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Allen, Baker, Bateman, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cooper, Crew, Cummings, Curtain, Davis, Dillard, Fields, Forsee, Frazier, Gillespie, Gregg, Harvey, Henshaw, Hoesman, Hutchings, J. M. Hunter, W. J. Hunter, Jeffrey, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Plummer, Reasoner, Robinson, Ross, [Shoemaker, Simpson, Titus, Veale and Vickers.

Gentlemen voting in the negative were :

Messrs. DeForrest, Harper, Hodges, Hungerford, Huntington, Lane, Lanter, McLean, Peck, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Beaty, Billings, Bond, Cochrane, Cross, Eldridge, Ensign, Funston, Green, Guffy, Hutchinson, James, Kahler, Kallech, Langdon, Larkin, Motz, O'Driscoll, Scofield, Searcy, Sellers, Sexton, Shaw, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Willels and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

On motion of Mr. Hutchings,

The vote by which House Bill No. 262 was passed, was reconsidered.

Mr. Hutchings moved to amend.

Which motion prevailed.

The roll was called on the passage of the bill as amended with the following result :

Yeas, 68 ; nays, 0.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Allen, Baker, Banta, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Childs, Cochrane, Cooper, Crew, Cummings, Cartain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Gregg, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutch-

inson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Langdon, Larkin, Legere, Lowrey, Lowe, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Titus, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Billings, Bond, Brown, Buchan, Cross, Eldridge, Green, Kahler, Kalloch, Lanter, Mapes, McDermott, Motz, O'Driscoll, Scofield, Searcy, Sexton, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Willetts and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. M. F. Collins came forward and was sworn in as second Assistant Door-keeper.

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On motion,

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungeaford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

---

On motion of Mr. Veale,

The House went into Committee of the Whole for the consideration of appropriation bills.

---

COMMITTEE OF THE WHOLE.

Mr. McDonald in the Chair.

After some time spent therein the Committee arose, and through their Chairman made the following report:

**MR. SPEAKER:** The Committee of the Whole House have had under consideration

House Bill No. 344, An act making appropriation for current expenses of State Normal School for the fiscal year ending Nov. 30, 1872,

And recommend its passage with amendment thereon noted.

House Joint Resolution No. 4, Making an appropriation for James M. Matheny,

Was reported back, recommending that the report of the Standing Committee be concurred in, which cut down the appropriation from \$10,000, as provided in the resolution, to \$5,000.

It was recommended that the report of the Committee on Ways and Means be concurred in.

House Bill No. 358, An act making appropriation for the annual expenses of the State Asylum for the Insane, for the fiscal year ending November 30, 1873.

And recommend its passage.

House Bill No. 361, An act making appropriations for the support of the normal department of the Freedmen's University at Quindaro, Kansas,

And recommend its passage.

House Bill No. 363, An act making appropriations for the State University for the fiscal year ending November 30, 1873.

And recommend its passage with amendments thereon noted.

House Bill No. 364, An act making appropriations for the State Penitentiary for the year ending November 30, 1873,

And recommend its passage.

House Bill No. 385, An act making appropriations for the State Agricultural College at Manhattan.

And recommend its passage.

House Bill No. 386, An act making appropriations for the Leavenworth State Normal School for the fiscal year ending November 30, 1873.

And recommend its passage.

B. P. McDONALD,  
Chairman.

On motion,

The report of the Committee was agreed to.

---

Mr. James offered

House Concurrent Resolution No. 37, Relating to adjournment *sine die*.

Mr. Veale moved that when the House adjourn, it be to 7½ o'clock this p. m. on Special Order for the consideration of Tax Bill and House Bill No. 324.

Which motion prevailed.

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On motion,

The House adjourned till 7½ o'clock p. m.

A. R. BANKS,  
Chief Clerk.



EVENING SESSION.

7½ O'CLOCK P. M.

House called to order.

Speaker *pro tem.* in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Plummer, Reasonor, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

By consent,

Mr. Hutchings offered

House Concurrent Resolution No. 38, In reference to granting the use of the Hall of the House of Representatives to the Farmers' Association.

On motion,

The rules were suspended, and

The resolution was taken up and adopted.

On motion of Mr. Titus,

House Joint Resolution No. 5,

Was made the Special Order for to-morrow at 2 o'clock  
P. M.

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COMMITTEE OF THE WHOLE.

On motion,

The House went into Committee of the Whole for  
the consideration of

House Bill No. 324, An act making appropriations for  
the executive and judiciary departments of the State.

Mr. Lanter in the Chair.

After sometime spent in debate therein, the Committee  
arose, and through its Chairman made the following report:

MR. SPEAKER: The Committee of the Whole House  
have had under consideration

House Bill No. 324, An act making appropriations for  
the executive and judiciary departments of the State,

And recommend its passage as amended.

T. J. LANTER,  
*Chairman.*

---

Mr. Fields moved that

House Bills Nos. 180, 116 and 136

Be put upon their third reading subject to amendment  
and debate.

Mr. Hutchinson moved that

House Bills Nos. 281 and 391, and

Senate Bill No. 47

Be put upon third reading subject to amendment and debate.

Pending action on the above bills,

On motion

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

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MORNING SESSION.

WEDNESDAY, FEBRUARY 28, 1873, 10 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Cochran, Cooper, Crew, Cummings, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungeford, Hutchings, Hutchinson, Huntington, J.M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz,

Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Ward, Wakefield and Weaver.

Quorum present.

Prayer by Rev. Mr. Blakesly.

Mr. Brenner moved that

The reading of the Journal of previous day be dispensed with.

Which motion prevailed.

Messrs. Belden and Harvey were granted leave of absence.

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#### REPORTS OF STANDING COMMITTEES.

Mr. Smith, Chairman of the Committee on Agriculture and Manufactures, submitted the following report :

MR. SPEAKER : The Committee on Agriculture and Manufactures, to whom was referred

Senate Bill No. 153, An act for the protection of prairie from incursions by fire,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be printed and passed.

REUBEN SMITH,

*Chairman.*

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER : The Committee on Enrolled Bills have examined

House Bill No. 232, An act to authorize school district No. 4, in Greenwood county, to issue bonds,

House Bill No. 166, An act to authorize Home township,

Nemaha county, to issue bonds for a certain purpose and upon certain conditions therein named,

House Bill No. 3, An act to authorize certain minors to exercise the rights of majority,

House Bill No. 143, An act to authorize school district No. 16, in Wabaunsee county, to build a school house, and to change the present school site,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

Mr. Plummer, Chairman of the Committee on Education, submitted the following reports :

MR. SPEAKER: The Committee on Education, to whom was referred

Senate Bill No. 134, An act to amend an act to organize a State Normal School, approved February 16, 1864,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

W. S. PLUMMER,

*Chairman.*

MR. SPEAKER: The Committee on Education, to whom was referred

A petition of H. H. Williams and fifty others on compulsory education,

Have had the same under consideration, and instruct me to report the same back to the House with the recommendation that it be rejected, subject-matter being contained in the bill now before the House.

W. S. PLUMMER

*Chairman.*

## MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, February 27, 1873. }

*To the Legislature of the State of Kansas :*

Governor Furnas, of Nebraska, has informed me by telegraphic dispatch, that the Legislature of that State will visit our State Capital to-morrow, the 28th inst., and that they expect to arrive about 5 o'clock P. M.

THOMAS A. OSBORN,

*Governor.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has reconsidered the vote by which it rejected House Bill No. 101, and respectfully request the immediate return of the bill for its further consideration.

GEO. C. CROWTHER,

*Secretary.*

A communication was received from New York in reference to the donation of the seven thousand dollars received on the day of the Joint Convention, to a charitable institution of that city.

On motion of Mr. Robinson,

It was referred to the Committee on Texas Cattle.

Mr. Cummings offered

House Concurrent Resolution No. 39, In relation to the Indian Territory,

House Concurrent Resolution No. 35, In relation to adjournment,

Was taken up.

Mr. Fields moved to strike out Tuesday next and insert Tuesday, the 11th of March.

Which motion prevailed.

Mr. Allen moved to lay the resolution on the table.

Which motion prevailed.

House Concurrent Resolution No. 37, In relation to adjournment *sine die*.

Was taken up, and on motion of Mr. Baker, was laid on the table.

House Joint Resolution No. 36,

Was taken up, and

Mr. Harvey moved to amend.

On motion of Mr. Hutchings,

The resolution was laid on the table.

Mr. Titus offered

House Concurrent Resolution No. 40, In relation to adjournment *sine die*.

Which was laid over under the rules.

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REPORTS OF STANDING COMMITTEE.

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports :

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 93, An act to legalize the acts of A. A. Higginbotham as notary public,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 139, An act to vacate certain lots, blocks, streets and alleys in towns herein named, and part of the town site of Lanesfield, in Johnson county, Kansas,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 357, An act to authorize district courts to appoint short-hand reporters,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 174, An act to amend an act entitled an act for the regulation and support of common schools,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred



House Bill No. 377, An act to legalize a levy of a certain tax levied by the county commissioners of Crawford county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

A. J. BANTA,  
*Chairman.*

MR. SPEAKER: The Committee on Judiciary, to whom was referred

House Bill No. 354, An act to authorize school district No. 2, in Republic county, Kansas, to issue bonds.

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be referred to the Committee on Corporations.

A. J. BANTA,  
*Chairman.*

---

#### INTRODUCTION OF BILLS.

By Mr. Baker,

House Bill No. 397, An act providing for the apportionment of the State of Kansas into three congressional districts.

Read first time.

By Mr. Cochrane,

House Bill No. 398, An act to equalize taxation and to amend an act entitled an act to amend an act entitled an act amendatory of and supplemental to an act to provide for the assessment and collection of taxes.

Read first time.

By Mr. Vickers,

House Bill No. 399, An act for the relief of persons therein named.

Read first time.

On motion,

The rules were suspended, and the bills were read a second time now.

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BILLS ON SECOND READING.

House Bill No. 397, An act providing for the apportionment of the State into three congressional districts.

Read the second time, and

Referred to the Committee on Apportionment.

House Bill No. 398, An act to equalize taxation, and to amend an act entitled an act to amend an act entitled an act amendatory and supplemental to an act to provide for the assessment and collection of taxes. .

Read the second time, and

Referred to the Committee of the Whole.

House Bill No. 399, An act for the relief of persons therein named.

Read the second time, and

Referred to the Committee of the Whole.

On motion,

All Senate Bills reported here were ordered to be put at the head of General Orders on the Calendar.

Senate Bill No. 16

Was ordered to be recommitted to the Committee.

---

BILLS ON THIRD READING.

House Bill No. 369, An act authorizing the city of Osborn to become a city of the third class,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 67; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Cochrane, Cooper, Crew, Cummings, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Belden, Billings, Bond, Brinkman, Buchan, Childs, Cross, Curtain, DeForrest, Eldridge, Gillespie, Kahler, Kalloch, Langdon, Larkin, Lanter, Lowe, Morgan, Nugent, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 368, An act authorizing a city of the third class to vote bonds for the purpose herein named,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 67; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Beatty, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Lane, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Titus, Veale, Vickers, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Belden, Bell, Billings, Bond, Buchan, DeForrest, Eldridge, Gillespie, J. M. Hunter, Kahler, Kalloch, Langdon, Larkin, Lanter, Legère, Lowe, Morgan, O'Driscoll, Reasoner, Scofield, Searcy, Sexton, Snyder, Spaulding, Stratton, Tough, Turner, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 38, An act to legalize the organization of the Junction City and Fort Kearney Railway Company,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 63; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Cooper, Crew, Cross, Cummings, Davis, Dillard, Ensign, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lane, Legere, Lowe, Mapes, McDonald, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Shaw, Smith, Snyder, Titus, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Belden, Billings, Bond, Buchan, Cochrane, Curtain, DeForrest, Eldridge, Fields, Gillespie, Henshaw, J. M. Hunter, Kalloch, Langdon, Larkin, Lanter, Lowrey, McDermott, McLean, Morgan, O'Driscoll, Scofield, Searcy, Sellers, Sexton, Shoemaker, Simpson, Spaulding, Stratton, Tough, Turner, Veale, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 326, An act to fix the liability of railroad companies for damages arising from fires set out or suffered to escape by said companies or their agents,

Was read the third time.

On motion of Mr. Hutchinson,

The bill was recommitted to the Committee of the Whole House.

Mr. Reasoner moved to reconsider the vote by which House Bill No. 369 was passed.

Which motion prevailed.

By consent,

The amendment offered by Messrs. Reasoner and Mapes were accepted.

And the question being: Shall the bill pass as amended?

The roll was called with the following result:

Yeas, 66; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cooper, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lane, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Vickers, Ward, Wakefield, Weaver and Wells.

Mr. J. M. Hunter voted in the negative.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Belden, Bell, Billings, Bond, Brinkman, Cochrane, DeForrest, Eldridge, Gillespie, Hoesman, Hutchinson, J. M. Hunter, Kalloch, Langdon, Larkin, Lanter, Mapes, Morgan, Motz, O'Driscoll, Scofield, Searcy, Sellers, Sexton, Spaulding, Stratton, Tough, Turner, Veale, Willots and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 374, An act to provide for issuing the bonds of Parker township, Morris county, Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 59; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Bell, Blakely, Bowron, Brenner, Brown, Buchan, Childs, Cooper, Crew, Cross, Cummings, Curtain, Davis, Dillard, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, James, Jeffrey, Kahler, Lane, Legere, Lowrey, Lowe, McDermott, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Plummer, Ross, Sellers, Shaw, Simpson, Snyder, Titus, Vickers, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Belden, Billings, Bishop, Bond, Bowers, Brinkman, Cochrane, DeForrest, Eldridge, Ensign, Gillespie, J. M. Hunter, W. J. Hunter, Kalloch, Langdon, Larkin, Lanter, Mapes, McDonald, Morgan, Motz, O'Driscoll, Reasoner, Robinson, Scofield, Searcy, Sexton, Shoemaker, Smith, Spaulding, Stratton, Tough, Turner, Veale, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 314, An act to authorize school district No. 31, Atchison county, Kansas, to issue bonds upon a vote of a majority of the electors of said district.

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 63; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. Allen, Banta, Bateman, Beaty, Bell, Blakely, Bowers, Brenner, Brinkman, Brown, Buchan, Childs, Cochran, Cooper, Crew, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, Morgan, Morrison, Nugent, Peck, Plummer, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Wakefield and Weaver.

Mr. Cross voted in the negative.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Belden, Billings, Bishop, Bond, Bowron, DeForrest, Eldridge, Gillespie, Harvey, Kahler, Kalloch, Lane, Langdon, Larkin,



Lanter, Lowe, G. M. Miller, Motz, O'Driscoll, Reasoner, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Ward, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Substitute for House Bill No. 160, An act to amend an act amendatory of and supplemental to an act approved February 29, 1872, entitled an act defining the boundaries of counties, approved March 3, 1868,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 52; nays, 6.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Blakely, Bowers, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, Davis, Dillard, Ensign, Forsee, Frazier, Funston, Gregg, Guffy, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Kahler, Legere, Lowe, McDermott, McDonald, McLean, Morgan, Morrison, Peck, Plummer, Sellers, Shaw, Simpson, Smith, Veale, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Brenner, Cooper, Hungerford, Lowrey, Nugent and Robinson.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Bond, Bowron, Cross, DeForrest, Eldridge, Fields, Gillespie, Green, Harper, Harvey, Jeffrey, Kalloch, Lane, Langdon, Larkin, Lanter, Mapes, J. W. Miller, G. M. Miller, Motz, O'Driscoll, Reasoner, Ross, Scofield, Searcy, Sexton, Shoemaker, Snyder, Spaulding, Stratton, Titus, Tough, Turner, Vickers, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Mr. Fields moved to recall from the Senate

House Joint Resolution No. 17, Amending section 2 of the constitution.

Which motion prevailed.

House Bill No. 324, An act making appropriations for the executive and judiciary departments of the State,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 61; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Bateman, Beaty, Bell, Blakely, Bowers, Bowron, Bronner, Brinkman, Brown, Buchanan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, Dillard, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington J. M. Hunter, W. J. Hunter, James Kahler, Lanter, Lowrey, Lowe, Mapes, McDermott, McDon-

ald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Plummer, Robinson, Sellers, Shoemaker, Simpson, Smith, Titus, Veale, Vickers, Wakofield and Weaver.

Mr. Jeffrey voted in the negative.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Banta, Belden, Billings, Bishop, Bond, Curtain, DeForrest, Eldridge, Ensign, Gillespie, Green, Harvey, Hutchings, Kalloch, Lane, Langdon, Larkin, Legere, Motz, O'Driscoll, Reasoner, Roas Scofield, Searoy, Sexton, Shaw, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 344, An act making appropriations for current expenses of the State Normal School at Emporia for the fiscal year ending November 30, 1873,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 58; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. D. M. Adams, Allen, Bacon, Banta, Bateman, Belden, Billings, Bond, Bowers, Cochrane, Cooper, Curtain, DeForrest, Eldridge, Gillespie, Green, Harvey, Hungerford, Kalloch, Lane, Langdon, Larkin, Lanter, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Reasoner, Rob-

inson, Shaw, Simpson, Smith, Snyder, Titus, Veale, Vickers and Wakefield.

Gentlemen voting in the negative were :

Messrs. McLean and Shoemaker.

Gentlemen absent or not voting were :

Messrs. David Adams, Baker, Beaty, Bell, Bishop, Blakely, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Crew, Cross, Cummings, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Henshaw, Hodges, Hoelman, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, Motz, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sellers, Sexton, Spaulding, Stratton, Tough, Turner, Ward, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Joint Resolution No. 4, An act making an appropriation to James M. Matheney,

Was read the third time.

And the question being: Shall the resolution pass?

The roll was called with the following result :

Yeas, 71 ; nays, 1.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Crew, Cummings, Davis, DeForrest, Dillard, Fields, Forsee,

Frazier, Funston, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Mr. Peck voted in the negative.

Gentlemen absent or not voting were :

Messrs. D. M. Adame, Bacon, Belden, Billings, Bond, Curtain, Eldridge, Ensign, Gillespie, Green, Harvey, Kalloch, Lane, Langdon, Larkin, Motz, O'Driscoll, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the resolution,

The resolution passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

Message from the Senate was called up.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has non-concurred in House amendments to

Senate Bill No. 128, Relating to Texas cattle.

GEO. C. CROWTHER,

*Secretary.*

On motion of Mr. Hutchinson,

The House refused to recede from House amendments, and asked for Committee of Conference.

The Speaker appointed Messrs. Hutchinson, Allen and Mapes as Committee of Conference.

Mr. Hutchings offered

House Joint Resolution No. 7, An act making appropriations for the entertainment of the Nebraska Legislature.

On motion,

The rules were suspended, and the resolution was read a second and third time.

Mr. Veale moved to amend by adding "provided that no bills be paid except by an itemized account approved by the Committee of Entertainment."

Mr. Nugent moved to amend the amendment "provided no money be expended for intoxicating liquors."

The question being upon the adoption of the resolution as amended,

The roll was called with the following result:

Yeas, 62; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Buchan, Childs, Cochrane, Cooper, Cross, Cummings, Davis, DeForest, Dillard, Ensign, Fields, Frazier, Funston, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, J. M. Hunter, James, Kahler, Lanter, Lowrey, Lowe, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Wakefield, Weaver and Wells.

Messrs. Brown and Crew voted in the negative.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bateman, Belden, Billings, Bond, Curtain, Eldridge, Forsee, Gillespie, Green, Harvey, Jeffrey, Kalloch, Lane, Langdon, Larkin, Legere, Mapes, McLean, Motz, Nugent, O'Driscoll, Ross, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the resolution,

The resolution passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate accedes to the request of the House for a Committee of Conference on

Senate Bill No. 128.

Committee on part of the Senate:

Messrs. Butler, Eldridge and Murdock.

GEO. C. CROWTHER,  
*Secretary.*

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The following report was received from the Board of Commissioners for the improvement of the State House grounds:

*To his Excellency the Governor, and the Honorable Legislature of Kansas:*

GENTLEMEN: The Board of Commissioners for the improvement of the State House grounds, respectfully submit herewith a report of their operations during the year just

closed. The appropriation made the last session of the Legislature for improvement of the grounds has been expended in improving the north and west sides of the grounds, being an extension of the work done the preceding season. The work done consists as follows :

1. In seeding that portion of the grounds graded and prepared in 1871, amounting to about four acres.

2. In building a new board fence on the street grade and four feet inside of the street line, on the east, south and west sides of the south half of the grounds, and a rough board fence from the northeast corner of the State House to the east side of the grounds, and from the southwest corner of the State House to the south line of the grounds.

3. In grading, plowing, subsoil plowing, manuring, covering with top soil to a depth of one foot, and in preparing for the seeding of the remaining portion of the north and the west of the grounds to include the drives and the walks from the entrance to the southwest corner of the grounds to the State House, amounting in extent to about six and one-half acres of ground, and amounting to the moving of fourteen thousand cubic yards of earth.

4. In plowing, subsoil plowing, manuring and filling up with top soil to the depth of eight inches, and a width of twenty-five feet, the sidewalk on the east side of the south half of the grounds, which had been graded by the city of Topeka.

5. In forming the drives and walks, and covering them with waste lime from the gas works, and in seeding with grass seed said graded grounds.

6. In building catch-water basins, and sewers to drain the main drain on the north side of the grounds, and in planting evergreen and shade trees in and about the grounds.

The early seeding has done remarkably well, having been mown three times, and formed an excellent sward. The late seeding has suffered from the drought in June, and been



smothered by the crab grass. It will require to be seeded again.

The early planted trees have generally done well. The experience of the past season would indicate that the grounds should lie fallow one year after being graded.

We would respectfully recommend that an appropriation of four thousand dollars be made for the further improvement of the grounds, said appropriation to be expended in again seeding such portions of the graded grounds as have not taken in seeding, the sidewalks on the north and east sides of the grounds, planting trees, grading all of the south side of the grounds west of the east line of the State House, in macadamizing the drives and covering with cinders the walks now formed, and in laying flagging sidewalks about eight feet wide on the east side of the grounds between Eighth avenue and Ninth street.

Statement of receipts by the Board for the improvement of the State House grounds from March 7th, 1872, until January 1st, 1873, and detailed statement of the cost of the various operations conducted by the Board during that time:

#### RECEIPTS.

Balance cash on hand January 9th.....	\$ 17 77
Appropriation State scrip.....	5,000 00
Sale of stone in the wall.....	180 18
Back charges freight on trees.....	2 00
<b>Total.....</b>	<b>\$5,199 87</b>

#### EXPENDITURES.

Trees.....	\$ 553 78
Grading grounds.....	2,700 00
Setting sidewalks.....	58 80
Hauling manure.....	143 25
Grass seed for lawns.....	30 65
Lumber and wire for staking trees.....	46 31
Building fence .....	625 00

Lawn mower and tools.....	\$ 51 00
Advertising for proposals.....	11 00
Labor by the day, planting trees, forming walks and drives, seeding, etc.....	538 00
Hauling water for trees and mortar.....	14 00
Lime for catch-water basin and sewer.....	3 00
Discount State scrip.....	34 00
Superintendent's salary, four quarters.....	300 00
Total.....	\$5,150 00
Cash on hand.....	41 00

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\$5,190 00

E. T. CARR,  
*President.*

JOHN GUTHRIE  
*Secretary.*

W. TWEEDDALE,  
*Supt. and Engineer.*

January 1st, 1873.

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On motion

The House adjourned.

A. R. BANKS,  
*Chief Clerk*

AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker *pro tem.* in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Johnston, Green, Guffy, Harper, Henshaw, Hodges, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Lanter, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Wells and Mr. Speaker Kellogg.

Quorum present.

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COMMITTEE OF THE WHOLE.

On motion,

The House went into Committee of the Whole for the consideration of General Orders.

Mr. Fields in the Chair.

After sometime spent in debate therein the Committee rose, and through its Chairman made the following report :

Lawn mower and tools.....	\$ 51 05
Advertising for proposals.....	11 00
Labor by the day, planting trees, forming walks and drives, seeding, etc.....	585 99
Hauling water for trees and mortar.....	14 25
Lime for catch-water basin and sewer.....	3 75
Discount State scrip.....	34 92
Superintendent's salary, four quarters.....	300 00
<hr/>	
Total.....	\$5,158 75
Cash on hand.....	41 12
<hr/>	

\$5,199 87

E. T. CARR,  
*President.*

JOHN GUTHRIE,  
*Secretary.*

W. TWEEDDALE,  
*Supt. and Engineer.*

January 1st, 1873.

---

On motion

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker *pro tem.* in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Green, Guffy, Harper, Henshaw, Hodges, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Lanter, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Wells and Mr. Speaker Kellogg.

Quorum present.

---

COMMITTEE OF THE WHOLE.

On motion,

The House went into Committee of the Whole for the consideration of General Orders.

Mr. Fields in the Chair.

After sometime spent in debate therein the Committee arose, and through its Chairman made the following report :

**MR. SPEAKER:** The Committee of the Whole House have had under consideration

House Concurrent Resolution No. 32, An act in relation to the organization of Norton county,

And recommend its passage as amended.

House Joint Resolution No. 5, Recommending an amendment to the State constitution permitting an issue of the bonds of the State for the improvement of the State buildings.

Mr. Cochrane moved to amend after the word interest, "not exceeding 7 per cent. per annum."

Which motion prevailed.

And recommend its passage with the amendment thereon noted.

H. C. FIELDS,  
*Chairman.*

On motion,

The report of the Committee was agreed to.

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MESSAGE FROM THE SENATE.

**MR. SPEAKER:** I am directed to inform your honorable that the Senate has concurred in the adoption of

House Joint Resolution No. 7, Relating to the appropriation to entertain the Nebraska Legislature.

GEO. C. CROWTHER,  
*Secretary.*

---

Mr. Simpson moved that the Committee of Conference be increased to five on

Senate Bill No. 128.

Which motion prevailed.

Messrs. Simpson and Morgan were added to the above Committee.

Mr. Hutchinson moved that the House take up Senate messages.

Which motion was lost.

---

House Bill No. 358, An act making appropriation for the annual expenses of the State Asylum for the Insane, for the fiscal year ending November 30, 1873,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 68; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Gregg, Green, Guffy, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Lanter, Lowrey, Lowe, Mapes, McDermott, McLean, McDonald, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Veale, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Banta, Belden, Billings, Bond, DeForrest, Eldridge, Funston, Gillespie, Harper, Harvey, Hutchings, Kahler, Kalloch, Langdon, Larkin, Legere, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Titus, Tough, Turner, Vickers, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 363, An act making appropriations for the State University for the fiscal year ending November 30, 1873,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 64 ; nays, 3.

The following gentlemen voted in the affirmative

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Brenner, Brinkman, Brown, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Lanter, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Veale, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were :

Messrs. Hungerford, McLean and Stratton.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Belden, Billings, Bond, Bowers, Bowron, Buchan, Curtain, Eldridge, Gillespie, Harvey, Kahler, Kalloch, Langdon, Larkin, Legere, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Snyder, Spaulding, Titus,



Tough, Turner, Vickers, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 364, An act making appropriations for the State Penitentiary for the year ending November 30, 1873,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 4.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Banta, Bataman, Beaty, Bell, Blakely, Bowers, Bowron, Brenner, Brinkman, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, Dillard, Ensign, Fields, Frazier, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Lanter, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentleman voting in the negative were:

Messrs. Brown, Jeffrey, Lowe and Stratton.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Belden, Billings, Bishop, Bond, Buchan, Curtain, DeForrest, Eldridge, Forsee,

Funston, Gillespie, Harvey, Hutchings, Kahler, Kalloch, Langdon, Larkin, Legere, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Titus, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 385, An act making appropriations for the State Agricultural College at Manhattan,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 64; nays, 6.

The following gentlemen voted in the affirmative:

Messrs. Allen, Banta, Bateman, Beaty, Bell, Blakely, Bowron, Brenner, Childe, Cooper, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign Fields, Forsee, Frazier, Gregg, Guffy, Harper, Henshaw, Hoesman, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Lanter, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Bowers, Brinkman, Brown, Cochrane, Hungerford and Stratton.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Baker, Belden, Billings, Bishop, Bond, Buchan, DeForrest, Eldridge,

Funston, Gillespie, Green, Harvey, Hodges, Hutchings, Kahler, Kalloch, Langdon, Larkin, Legere, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

By consent,

Mr. Crew introduced

House Bill No. 400, An act making appropriations for the State University to cover deficiency of building Committee of 1872,

Was read first and second time, and

Referred to the Committee of the Whole.

By consent,

Mr. Childs introduced

House Bill No. 401, An act to vacate the public highway on section lines in Cherokee county,

Was read first and second time, and

Referred to the Committee of the Whole.

---

Mr. Cochrane moved to make

House Bill No. 388, An act making appropriations for additional legislative expenses for the fiscal year ending November 30, 1873,

The Special Order for to-morrow morning after roll call.

---

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER:** The Committee on Enrolled Bills have examined

House Joint Resolution No. 7,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

**WM. J. BLAKELY,**

*Chairman.*

---

**BILLS ON THIRD READING.**

House Bill No. 339, An act relating to taxation,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 56; nays, 5.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Bateman, Beaty, Bell, Bishop, Brenner, Brinkman, Brown, Childs, Cochrane, Crew, Cross, Cummings, Curtain, Davis, Dillard, Fields, Frazier, Green, Guffy, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, Jeffrey, Kahler, Lane, Legere, Lowrey, Lowe, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward Wakefield.

Gentlemen voting in the negative were:

Messrs. Blakely, Harper, Mapes, McDermott and Shoemaker.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Belden, Billings, Bond, Bowers, Bowron, Buchan, Cooper, DeForrest, Eldridge, Ensign, Forsee, Funston, Gillespie, Gregg, Harvey, Hutchings, J. M. Hunter, W. J. Hunter, James, Kalloch, Langdon, Larkin, Lanter, McLean, O'Driscoll, Scofield, Searcy, Sexton, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 370, An act relating to a State road in the counties of Russell, Osborn and Smith,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henahaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Legere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck,

Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Beaty, Belden, Billings, Bond, Buchan, Cochran, Cooper, DeForrest, Eldridge, Gillopie, Harvey, Hutchings, Kalloch, Langdon, Larkin, Lanter, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 381, An act to locate a State road in the counties of Russell, Osborn and Mitchell,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Legere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz,

Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Beatty, Belden, Billings, Bond, Buchan, Cochrane, Cooper, Eldridge, Gillespie, Harvey, Hutchings, Langdon, Larkin, Lanter, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 382, To locate a State road in the counties of Barton, Russell, Osborn and Smith,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Childs, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahlor, Lane, Logere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers,

Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Boaty, Belden, Billings, Bond, Brown, Buchan, Cochrane, Cooper, DeForrest, Eldridge, Gillespie, Harvey, Hutchings, Kalloch, Langdon, Larkin, Lanter, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 372, An act relating to a State road in the counties of Smith, Osborn and Russell,

Was read the third time.

The question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, James, Kahler, Lane, Legere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plum-



mer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Beaty, Belden, Billings, Bond, Buchan, Cochrane, Cooper, DeForrest, Eldridge, Gillespie, Harvey, Hutchings, Kalloch, Langdon, Larkin, Lanter, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 371, An act relating to a State road in the counties of Mitchell, Osborn and Rooks,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result :

Yeas, 64 ; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Legere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Sexton, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Beaty, Belden, Billings, Bond, Buchan, Cochrane, Cooper, DeForrest, Eldridge, Gillespie, Harvey, Hutchings, Kalloch, Langdon, Larkin, Lanter, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Simpson, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 333, An act to legalize the sale of certain school lands on the town site of Independence,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Legere, Lowrey, Lowe, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peek, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Beaty, Belden, Billings, Bond, Buchan, Cochrane, Cooper, DeForrest, Eldridge, Gillespie, Harvey, Hutchings, Kalloch, Langdon, Larkin, Lanter, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willetts and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 284, An act for the relief of Johnson county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Crew, Cross, Cummings, Curtain, Davis, Dillard, Easign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Legere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Beaty, Belden, Billings, Bond, Buchan, Cochrane, Cooper, DeForrest, Eldridge, Gillespie, Harvey, Hutchings, Kalloch, Langdon, Larkin, Lanter, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 187, An act to legalize the issue of certain school bonds issued by a vote of the people in school district No. 16, Douglas county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, D. M. Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Crew, Cross, Cummings, Curtin, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoeman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Smith, Snyder, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. Bacon, Baker, Beaty, Belden, Billings, Bond, Buchan, Cochrane, Cooper, DeForrest, Eldridge, Gillespie, Harvey, Hutchings, Kalloch, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Spaulding, Stratton, Tough, Turner, Weaver, Wells, Willets, and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Senate Bill No. 136, An act to amend an act to authorize Toledo township to issue bonds,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Crew, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Legere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Beaty, Belden, Billings, Bond, Buchan, Cochrane, Cooper, DeForrest, Eldridge, Gillespie, Harvey, Hutchings, Kalloch, Langdon, Larkin, Lanter, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 346, An act to legalize the actions of the Town Company of Howard City, in the county of Howard,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Bronner, Brinkman, Brown, Childs, Cross, Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchinson, Huntington J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Beaty, Belden,

Billings, Bond, Buchan, Cochrane, Cooper, Crew, DeForrest, Eldridge, Gillespie, Harvey, Hutchings, Kalloch, Lowe, McDermott, McDonald, Morgan, O'Driscoll, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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On motion

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

## MORNING SESSION.

SATURDAY, MARCH 1, 1873, 9 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Baker, Banta, Beaty, Belden, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Childs, Cochran, Cooper, Crew, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Plummer, Reasoner, Robinson, Ross, Sellers, Shaw, Simpson, Smith, Snyder, Titus, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

Prayer by Rev. Mr. Cleland.

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The Doorkeeper announced the Honorable Legislature of the State of Nebraska accompanied by its Honorable Speaker and Chief Clerk.

Mr. Hutchings offered the following resolution,

Which, on motion, was adopted.



*Resolved*, That the House of Representatives of the State of Kansas hereby tender their compliments and a heartfelt welcome to the House of Representatives of the State of Nebraska. Bound by all the ties of twin sisterhood in the family of the Union, may they never be separated by anything more substantial than the imaginary lines between them.

On motion,

The House took a recess for twenty minutes.

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9:20 O'CLOCK A. M.

House called to order.

Speaker in the Chair.

Address of welcome was delivered by Mr. Speaker Kellogg.

Reply by Mr. Speaker Sessions, of the Nebraska Legislature.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable that the Senate has concurred in the adoption of

House Concurrent Resolution No. 38, Granting use of Legislative Hall,

And

House Concurrent Resolution No. 34, Relating to the Kaw Indian lands.

GEO. C. CROWTHER,

*Secretary.*

## House Concurrent Resolution No. 38,

*Be it resolved by the House of Representatives, the Senate concurring therein :*

That the use of the Hall of the House of Representatives be and is hereby granted to the farmers of the State for the purpose of holding a Farmers' State Convention on the 26th day of March, 1873.

## House Concurrent Resolution No. 34,

WHEREAS, There is a large body of fertile land lying in the counties of Lyon and Morris, known as the Kaw Reserve, which lands are in the present possession of the Kaw tribe of Indians, and

WHEREAS, Under a recent treaty with said Indians, said lands are to be sold for the benefit and to secure the removal of said Indians from the State of Kansas under the provisions of a recent act of Congress; an appraisal of said lands has been made, which said appraisal is now pending before the Secretary of the Interior, and

WHEREAS, It is currently reported and understood that the Secretary of the Interior has it in contemplation to sell the whole of said land in a body to the highest bidder therefor, which action is understood to be in the interest of non-resident speculators, and would result in preventing any of said land coming into the hands of actual settlers, except at such increase over the purchase price as the cupidity of the monopoly purchasing the same might demand; therefore

*Be it resolved by the House of Representatives, the Senate concurring therein :*

That we are unalterably opposed to the sale of public lands to any corporation or other monopoly, and that we hold the government bound to so far respect the public opinion which found unanimous expression in the platform of both the contending parties at the recent presidential election as to prevent such sale.

*Resolved*, That we insist that at whatever price or under whatever regulations the Kaw lands above mentioned, may be sold, they shall be so sold as to secure them to actual settlers from the government direct.

*Resolved*, That we are opposed to all devices in the nature of sealed bids or other secret practices whereby the public lands have heretofore been directed from the settlers to speculators, and that in our opinion the Kaw lands should be sold at a fixed price, not to exceed the appraised value, in tracts of not over one hundred and sixty acres, and to actual settlers only; but that if the government should open the lands to competition, that they should be sold at public sale to be conducted upon the lands themselves, and that only actual settlers should be permitted to purchase, and they only in tracts not exceeding one hundred and sixty acres.

*Resolved*, That the Clerk of the House be instructed to forward a copy of these resolutions immediately upon their passage to the President of the United States, to the Secretary of the Interior, and to each of our Senators and members of Congress elect.

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REPORTS OF STANDING COMMITTEES.

Mr. Robinson, Chairman of the Committee on State Institutions, submitted the following report:

MR. SPEAKER: The Committee on State Institutions, to whom was referred

Senate Bill No. 16, An act concerning universities and institutions of learning,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

ROBINSON,  
*Chairman.*

Mr. Shoemaker, Chairman of the Committee on Corporations, submitted the following report:

MR. SPEAKER: The Committee on Corporations, to whom was referred

House Bill No. 354, An act to authorize school district No. 2, in Republic county, Kansas, to issue bonds,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

SHOEMAKER,  
*Chairman.*

Mr. Banta, Chairman of the Committee on Judiciary submitted the following report:

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 90, An act to change the terms of court in the fourteenth judicial district, and establishing courts in certain counties therein named,

Have had the same under consideration, and instruct me to report the same back to the House with the recommendation that it be passed with certain amendments thereon noted.

A. J. BANTA,  
*Chairman.*

Mr. Bell, Chairman of Special Committee, returned without report

House Bill No. 311.

The following report was received from the Auditor of State:

*To the House of Representatives:*

In answer to your resolution reported to me on the 14th inst., the following statement of the debts and credits of each county on the sales of school lands, is respectfully submitted:

	DE.	CR.
Allen.....	\$1,589 35	
Atchison .....	803 34	
Anderson .....	1,900 02	
Bourbon .....		\$2,325 66
Butler.....	831 17	
Brown .....	3,188 70	
Chase.....	1,059 45	
Coffey.....	1,079 35	
Clay.....		123 56
Cloud.....		74 00
Cowley .....	362 97	
Davis .....	1,259 46	
Dickinson.....	307 47	
Doniphan.....	707 97	
Douglas.....	489 57	
Franklin.....	83 19	
Greenwood .....	1,674 72	
Howard.....	346 07	
Jackson.....	101 59	
Johnson.....	269 83	
Jewell.....	1,942 38	
Linn .....	580 91	
Lyon.....	601 31	
Labette.....	4,952 13	
Lincoln.....	591 40	
Marshall. ....	12,559 68	
Marion.....	323 43	
McPherson .....		488 06
Miami.....	510 74	
Morris.....	498 09	
Montgomery .....	2,498 40	
Mitchell.....		2 27
Nemaha .....	1,265 85	
Neosho.....	6,078 43	
Osage .....	299 55	
Osborn .....	115 85	
Ottawa.....	247 40	

Pottawatomie .....	1,132	38	
Riley.....	732	07	
Republic.....	907	95	
Shawnee.....	5,965	50	
Saline.....	21	87	
Sedgwick.....	3,149	15	
Sumner.....			112 79
Wabauunsee.....	2,973	39	
Washington.....	14,584	83	
Woodson.....			1,730 19
Wilson.....			17 41

DANIEL W. WILDER,

*Auditor of State.*

February 17, 1873.

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Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Committee on Enrolled Bills have examined

House Bill No. 36, An act to create the fifteenth judicial district and to provide for a judge thereof and for holding the terms of court therein.

House Bill No. 245, An act providing for certain improvements in Leavenworth county.

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

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MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, February 27, 1873. }

*To the House of Representatives :*

I have approved :

House Bill No. 166, An act to authorize Home township, Nemaha county, to issue bonds for a certain purpose and upon certain conditions therein named.

House Bill No. 232, An act to authorize school district No. 4, in Greenwood county, to issue bonds.

Substitute for House Bill No. 3, An act to enable certain minors to exercise the rights of majority.

House Bill No. 143, An act to authorize school district No. 16, in Wabaunsee county, to build a school house, and to change the present school site.

THOMAS A. OSBORN,  
*Governor.*

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Mr. McDermott moved to concur in Senate amendment to

House Bill No. 177. . .

The roll was called with the following result :

Yeas, 69 ; nays, 1.

The following gentlemen voted in the affirmative :

Messrs. David Adame, Allen, Baker, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lane, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Vickers, Ward, Wakefield and Wells.

Mr. Banta voted in the negative.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bond, Eldridge, Ensign, Green, Guffy, Harvey, J. M. Hunter, Kalloch, Langdon, Larkin, Morgan, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Veale, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring in Senate amendments,

The amendments were concurred in.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 383, An act to authorize Kansas City, Kansas, to make certain improvements therein named.

House Bill No. 209, An act to enable the county commissioners of Rice county to issue bonds to pay their indebtedness.

House Bill No. 154, An act to authorize the board of county commissioners of Jefferson county, to issue and sell the bonds of said county for the purpose of completing bridges.

House Bill No. 163, An act to define the boundaries of the ninth judicial district, and to fix the terms of court in the several counties thereof.

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness.

House Bill No. 245, An act providing for certain improvements in Leavenworth county.

Senate Bill No. 144, An act supplemental to chapter 150 of the laws of 1871, relating to the collection of taxes



House Bill No. 87, An act to establish a State road through the counties of Rice, Ellsworth, Lincoln, Mitchell and Jewell.

House Bill No. 172, An act to regulate the terms of court in the eighth judicial district,

With amendments thereon noted.

GEO. C. CROWTHER,

*Secretary.*

House Bill No. 87, An act to establish a State road through the counties of Rice, Ellsworth, Lincoln, Mitchell and Jewell,

Was taken up, and

Mr. Hoesman moved that the House concur in the Senate amendments to the bill,

The roll was called with the following result:

Yeas, 70; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Jeffrey, Kahler, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Belden, Billings, Bond, Cross, Davis, Eldridge, Green, Gregg, Harvey, J. M.

Hunter, Kallioch, Lane, Langdon, Larkin, Motz, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring in Senate amendments,

The House concurred.

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Mr. G. M. Brown, Door-keeper, was granted leave of absence until Monday evening next.

Mr. James was granted leave of absence until next Tuesday.

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On motion

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Baker, Bateman, Bell, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane Cooper, Cross, Cummings, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Fillespie, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, Kahler, Lane, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Quorum present.

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Messrs. Blakely, J. M. Hunter, Jeffrey, Crew, Hungerford, Morgan and Willets were granted leave of absence.

On motion of Mr. Hutchings,

The rules were suspended, and

Senate Bills Nos. 53, 36 and 144 were placed on their third reading.

## MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable that the Senate has passed

House Bill No. 200, An act to change the name of a certain road,

With amendments thereon noted.

House Bill No. 77, An act to amend (chapter 105, laws 1872,) section 2 of an act entitled an act to amend section 4 of chapter 23, of laws of 1868, and section 1 of chapter 65 of laws of 1871, concerning private corporations,

With amendments thereon noted.

Senate Bill No. 112, An act to authorize the incorporation and establishment of loan and trust companies.

Senate Bill No. 94, An act to amend sections 704, 705, and 707 of an act to establish a code of civil procedure, chapter 80, General Statutes of 1868.

House Bill No. 25, An act to declare certain section lines public highways,

With amendments thereon noted.

House Bill No. 35, An act to legalize the official acts of a township assessor and deputy assessor.

House Bill No. 12, An act extending the boundary lines of the city of Columbus, in the county of Cherokee, and defining the same,

With amendments thereon noted.

Substitute for House Bill No. 39, An act to amend an act entitled an act to incorporate cities of the second class, and to repeal former acts, approved February 28, 1872,

With numerous amendments thereon noted.

Senate Bill No. 88, An act to regulate and fix the terms of court in the fifth judicial district.

House Bill No. 143, An act to authorize school district No. 16, in Wabaunsee county, to build a school house and to

change the present school site,

Without amendment.

Senate Bill No. 30, An act to amend an act entitled an act providing for a State Normal School north of the Kansas river.

Senate Bill No. 140, An act to vacate certain streets and alleys and public grounds.

House Bill No. 108, An act amendatory of section 5 of chapter 24 of the General Statutes,

With amendments thereon noted.

Senate Bill No. 84, To expedite the collection of costs in justices' court.

House Bill No. 7, An act to regulate taxation on the change of boundary lines,

With amendments thereon noted.

House Bill No. 242, An act authorizing an enumeration of persons of school age in Jewell county, Kansas,

With amendments thereon noted.

House Bill No. 79, An act to amend section 13 of chapter 25 of the General Statutes of 1868, relating to meeting of county boards,

With amendments thereon noted.

Senate Bill No. 82, An act to amend an act entitled an act to regulate crimes and punishments.

Senate Bill No. 29, To amend section 2 of chapter 40 of the General Statutes of Kansas,

House Bill No. 36, An act to create the fifteenth judicial district, and to provide for a judge thereof, and for holding the terms of court therein.

And has failed to pass

House Bill No. 101, An act for the registry of electors, and to prevent fraudulent voting.

GEO. C. CROWTHER,

*Secretary.*

## BILLS ON THIRD READING.

Senate Bill No. 53, Relating to townships and commissioners' districts in Doniphan county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 58; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Bateman, Bell, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Cummings, DeForrest, Dillard, Ensign, Fields, Forsee, Fuston, Gillespie, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, Kahler, Lane, Lanter, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. David Adams and Beaty.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Belden, Billings, Bishop, Blakely, Bond, Brinkman, Crew, Curtain, Davis, Eldridge, Frazier, Gregg, Green, Harvey, Henshaw, Hungerford, W. J. Hunter, James, Jeffrey, Kallioch, Langdon, Larkin, McDermott, Morgan, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Senate Bill No. 36, An act to authorize railroad companies to purchase the bonds and stock of other companies and to endorse and guarantee the same, and foreclose mortgages,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53; nays, 7.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bateman, Bell, Bowers, Brenner, Buchan, Childs, Cooper, Cross, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields, Forsee, Gillespie, Gregg, Guffy, Hodges, Hoesman, Hutchings, Huntington, Hutchinson, J. M. Hunter, Lane, Legere, Lowrey, McDermott, McDonald, McLean, G. M. Miller, Morrison, Motz, Nugent, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Beaty, Brown, Funston, Harper, Lanter, Mapes and Peck.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brinkman, Cochrane, Crew, Davis, Eldridge, Frazier, Green, Harvey, Henshaw, Hungerford, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Larkin, Lowe, Morgan, J. W. Miller, O'Driscoll, Plummer, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof

Mr. Simpson moved a call of the House.

Pending the call,

Mr. Hunter moved that the further proceedings under the call be dispensed with.

Which motion prevailed.

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Senate Bill No. 114, An act to provide for issuing bonds of Blue Rapids township, of Marshall county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 54; nays, 6.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Bell, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cross, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Guffy, Hodges, Hutchings, Hutchinson, Huntington, Kahler, Lane, Lanter, Legere, Lowrey, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Ross, Sellers, Shaw, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Beaty, Cooper, Harper, J. M. Hunter, Mapes and Shoemaker.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Blakely, Bond, Brinkman, Crew, Davis, Eldridge, Frazier, Green, Harvey, Henshaw, Hoesman, Hungerford, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Lowe, McDermott, McDonald, McLean, Morgan, O'Driscoll, Plum-



mer, Robinson, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 200, An act to change the name of a certain road,

Was taken up, and the vote was taken on concurring in Senate amendments.

The roll was called with the following result:

Yeas, 58 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Cummings, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, Kahler, Lane, Legere, Lowrey, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Reasoner, Robinson, Ross, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Blakely, Bond, Brinkman, Crew, Curtain, Davis, Eldridge, Frazier, Green, Guffy, Harvey, Henshaw, Hungerford, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Lanter, Lowe, Mapes, McDermott, Morgan, Motz, O'Driscoll, Plummer, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring,

The House concurred in Senate amendments.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 77, An act to amend certain chapters of the General Statutes,

Was taken up, and the vote was taken on concurring in Senate amendments.

The roll was called with the following result:

Yeas, 54; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Bowers, Brenner, Brown, Buchan, Childs, Cochran, Cooper, Cross, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Guffy, Harper, Hodges, Hutchings, Hutchinson, Huntington, Lane, Lanter, Legere, Lowrey, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brinkman, Crew, Curtain, Eldridge, Frazier, Green, Harvey, Henshaw, Hoesman, Hungerford, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Larkin, Lowe, Mapes, McDermott, McDonald, McLean, Morgan, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Shoemaker, Snyder, Spaulding, Tough, Turner, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring in Senate amendments,

The House concurred in the amendments of the Senate.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 25, An act to declare certain section lines public highways,

Was taken up, and on motion to concur in Senate amendments thereto,

The roll was called with the following result :

Yeas, 57 ; nays, 0.

The following gentlemen voted in the affirmative

Messrs. Baker, Banta, Bateman, Beaty, Bell, Bowers, Brenner, Brown, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hutchings, Hutchinson, Huntington, J. M. Hunter, Kahler, Lane, Lantier, Legere, Lowrey, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward and Weaver.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brinkman, Buchan, Crew, Davis, Eldridge, Frazier, Harvey, Henshaw, Hoesman, Hungerford, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Lowe, Mapes, McDermott, Morgan, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Shoemaker, Snyder, Spaulding, Tough, Turner, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring in Senate amendments,

The House concurred in the amendments of the Senate.

Ordered that the Chief Clerk inform the Senate thereof.

Substitute for House Bill No. 39,

Was taken up, and

Mr. Veale moved to non-concur in the Senate amendments to the bill, and asked for a Committee of Conference.

Which motion prevailed.

Committee on the part of the House :

Messrs. Veale, McDonald and Buchan.

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House Bill No. 108

Was taken up, and on motion to concur in the Senate amendments,

The roll was called with the following result :

Yeas, 54 ; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bowers, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields, Forsee, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, Kahler, Lane, Legere, Lowrey, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Veale, Vickers, Ward, Wells and Mr. Speaker Kellogg.

Gentleman voting in the negative were :

Messrs. J. M. Hunter and Lanter.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowron, Bronner, Brinkman, Crew, Davis, Eldridge, Frazier, Funston, Harvey, Henshaw, Hungerford, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Lowe, Mapes, McDermott, Mor-

gan, Nugent, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Titus, Tough, Turner, Wakefield Weaver and Willets.

And so a constitutional majority having voted in favor of the Senate amendments.

The amendments of the Senate were concurred in.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 7

Was taken up, and on motion to concur in Senate amendments,

The yeas and nays were had with the following result :

Yeas, 52; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Banta, Beaty, Bell, Bowers, Brown, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, DeForrest, Dillard, Ensign, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, Kähler, Lane, Legere, Lowrey, Mapes, McLean, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Smith, Stratton, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Bateman, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brenner, Brinkman, Buchan, Crew, Davis, Eldridge, Fields, Frazier, Harvey, Henshaw, Hungerford, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Lanter, Lowe, McDermott, McDonald, Morgan, Motz, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Shoemaker, Simpson, Snyder, Spaulding, Titus, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring,

The Senate amendments were concurred in.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 242,

Was taken up, and the vote was taken on concurring in Senate amendments.

The roll was called with the following result:

Yeas, 58; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Bell, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, Kahler, Lane, Legere, Lowrey, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. J. M. Hunter and Lanter.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brinkman, Crew, Curtain, Eldridge, Frazier, Harvey, Henshaw, Hungerford, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Lowe, Mapes, McDermott, Morgan, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kollogg.

And so a constitutional majority having voted in favor of concurring in Senate amendments,

The House concurred.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 79,

Was taken up, and the vote was taken on concurring in Senate amendments.

The roll was called with the following result :

Yeas, 60 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Banta, Beaty, Bell, Brenner, Brown, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, Kahler, Lane, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Bateman, Belden, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Buchan, Brinkman, Crew, Eldridge, Frazier, Harvey, Henshaw, Hungerford, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Lanter, Lowe, Morgan, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring,

The House concurred in Senate amendments.

Ordered that the Chief Clerk inform the Senate thereof.

Substitute for House Bill No. 12

Was taken up, and

On motion to concur in Senate amendments,

The roll was called with the following result:

Yeas, 59; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bell, Bowers, Brenner, Brown, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, Kahler, Lane, Lanter, Lowrey, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Beaty, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brinkman, Buchan, Crew, Eldridge, Frazier, Harvey, Henshaw, Hungerford, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Legere, Lowe, McDermott, Morgan, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The Senate amendments were concurred in.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has adopted



Senate Concurrent Resolution No. 43, Relating to cessation of Legislative business and adjournment *sine die*.

GEO. C. CROWTHER,

*Secretary.*

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Mr. Cochrane moved that

House Bill No. 388, An act making appropriations for additional legislative expenses for the fiscal year ending November 30, 1873

Be considered engrossed and put on its third reading now.

Which motion prevailed.

Mr. Veale moved to amend.

Which motion prevailed.

Mr. Ensign moved that the bill be made the Special Order for Tuesday, at 2 o'clock P. M.

Which motion was lost.

The question being upon the final passage of the bill,

The roll was called with the following result :

Yeas, 53; nays, 8.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Bell, Bowers, Brenner, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Forsee, Funston, Gillespie, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, Kahler, Lane, Lanter, Lowrey, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Robinson, Shaw, Shoemaker, Simpson, Smith, Stratton, Veale, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. Baker, Brown, Ensign, Fields, Gregg, Sellers, Titus and Vickers.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brinkman, Buchan, Crew, Eldridge, Frazier, Harvey, Henshaw, Hungerford, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Legere, Lowe, McLean, Morgan, O'Driscoll, Peck, Plummer, Reasoner, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

Senate Bill No. 34, To authorize W. W. Jerome to build a mill dam across the Big Blue, in Marshall county,

Was withdrawn from the Calendar, and

Referred to the Committee on Judiciary.

On motion to adjourn until 7½ o'clock this P. M.,

The yeas and nays were demanded, and

The roll was called with the following result :

Yeas, 45; nays, 20.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper Cross, Cummings, Curtain, Davis, Dillard, Ensign, Forsee, Funston, Gillespie, Green, Guffy, Harper, Hodges, Hutchin-

son, Huntington, Kahler, Lowrey, Mapes, J. W. Miller, G. M. Miller, Morrison, Nugent, Peck, Reasoner, Sellers, Shaw, Shoemaker, Simpson, Titus, Vickers, Wakefield Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Allen, Beaty, DeForrest, Fields, Gregg, Hoesman, Hutchings, J. M. Hunter, Lane, Lanter, Legere, McDermett, McDonald, McLean, Motz, Robinson, Smith, Stratton, Veale and Ward.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brinkman, Crew, Eldridge, Frazier, Harvey, Henshaw, Hungerford, W. J. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Lowe, Morgan, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The House adjourned until 7½ o'clock this P. M.

A. R. BANKS,

*Chief Clerk.*

## EVENING SESSION.

7½ O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. Allen, Baker, Banta, Beaty, Bell, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cross, Cummings, Curtain, Davis, Ensign, Fields, Funston, Gillespie, Guffy, Harper, Hodges, Hutchinson, Huntington, Lane, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Quorum present.

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On motion of Mr. Buchan,

All Senate Bills were ordered read.

Senate Bill No. 112, An act to authorize the incorporation and establishment of loan and trust companies.

Read the first and second time, and

Referred to the Committee of the Whole.

Senate Bill No. 140, An act to vacate certain streets and alleys and public grounds.

Read the first and second time, and

Referred to the Committee of the Whole

Senate Bill No. 84, To expedite the collection of costs in justices' court.

Read the first and second time, and

Referred to the Committee of the Whole.

Senate Bill No. 82, An act to amend an act entitled an act to regulate crimes and punishments.

Read the first and second time, and

Referred to the Committee of the Whole.

Senate Bill No. 93, An act to legalize the acts of A. A. Higginbotham as notary public.

Read the first and second time, and

Referred to the Committee of the Whole.

Senate Bill No. 29, To amend section 2 of chapter 40 of the General Statutes of Kansas.

Read the first and second time, and

Referred to the Committee of the Whole.

Senate Bill No. 88, An act to regulate and fix the terms of court in the fifth judicial district.

Read the first and second time, and

Referred to the Committee of the Whole.

Senate Bill No. 94, An act to amend sections 704, 705, and 707 of an act to establish a code of civil procedure, chapter 80, General Statutes of 1868.

Read first and second time, and

Referred to the Committee of the Whole.

Senate Bill No. 144, An act supplemental to chapter 150 of the laws of 1871, relating to the collection of taxes.

Read the first and second time, and

Referred to the Committee of the Whole.

Senate Bill No. 30, An act to amend an act entitled an act providing for a State Normal School north of the Kansas river.

Read the first and second time, and

Referred to the Committee of the Whole.

Mr. Titus moved that the House now go into Committee of the Whole for the consideration of all bills on the Calendar.

Which motion prevailed.

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COMMITTEE OF THE WHOLE.

Mr. McDermott in the Chair.

After some time spent in debate therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

House Bill No. 360, An act making appropriations for the support of the Blind Asylum,

And recommend its passage.

Substitute for House Bill No. 59, An act to appropriate money to erect an east wing to the State Insane Asylum,

And recommend its passage.

House Bill No. 353, An act entitled an act to provide for the appointment of regents, directors and trustees for the control of public institutions of the State and defining certain powers thereof,

And recommend that it be passed with certain amendments thereon noted.

Senate Bill No. 13, An act making an appropriation for the State Asylum for the Deaf and Dumb,

And recommend its passage.

House Bill No. 394, An act making appropriations for the current expenses of the State Asylum for the Deaf and Dumb,

And recommend its passage.

JAMES McDERMOTT,

*Chairman.*

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REPORTS OF STANDING COMMITTEES.

By consent,

Mr. Banta, Chairman of the Committee on Judiciary, submitted the following reports :

MR. SPEAKER: The Committee on Judiciary, to whom was referred

Senate Bill No. 4, An act relating to the code of civil procedure, and amendatory of section 7 of chapter 87 of the laws of 1870,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

Legere and Banta dissenting.

A. J. BANTA,

*Chairman.*

Mr. Brenner, Chairman of the Committee on Roads and Highways, submitted the following reports :

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 317, An act to establish a certain State road in Leavenworth and Atchison counties,

Have had the same under consideration, and instruct me

to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 393, An act to establish a State road,

Have had the same under consideration, and instruct me to report the bill back to the House, with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

House Bill No. 347, An act to locate a certain State road in Douglas county,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred

Senate Bill No. 86, An act relating to roads and section lines in the county of Dickinson,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. BRENNER,  
*Chairman.*

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On motion,  
The House adjourned.

A. R. BANKS,  
*Chief Clerk.*



MORNING SESSION.

MONDAY, MARCH 3, 1873, 9 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Beaty, Bell, Bishop, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, James, Lane, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Sellers, Shaw, Smith, Snyder, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by Rev. Mr. Watson.

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Messrs. McLean and Morrison were granted leave of absence.

On motion of Mr. Gillespie,

The reading of the Journal was dispensed with.

Mr. Lanter moved that

House Bill No. 8, "the tax bill," be put upon its third reading now.

Which motion prevailed.

Mr. McDermott offered the following resolution:

*Resolved*, That all bills of a purely local character now in General Orders, and which have been ordered printed or reported favorably from the Standing Committees, and to which there is no objection, be placed on the Calendar for a third reading.

That all bills reported unfavorable from the Standing Committees be and they are hereby stricken from the Calendar.

Mr. Buchan moved to lay the resolution on the table.

Which motion was lost.

Mr. Titus offered the following amendment to the resolution:

"And that printed bills shall be placed on the Calendar following bills favorably reported, and all bills be taken up in their regular order as placed upon the Calendar."

The question being upon the resolution as amended,

The resolution was adopted.

Mr. Gillespie offered

House Concurrent Resolution No. 41, In relation to the ventilation of Senate and Representative Halls.

Which was laid over under the rules.

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SPECIAL ORDER.

House Bill No. 180, An act to provide for the assessment and collection of taxes.

And the question being: Shall the bill pass?

Mr. Cochrane offered the following amendment:

"Amend article 13, section 107, line 6 by striking out the word fifty and inserting the words twenty-five."

The yeas and nays being demanded,

The roll was called with the following result:

Yeas, 27 ; nays, 30.

Gentlemen voting in the affirmative were:

Messrs. Bateman, Beaty, Brenner, Brown, Cochrane, Crew, Curtain, Dillard, Fields, Gillespie, Gregg, Green, Hodges, J. M. Hunter, Jeffrey, Lane, Lanter, McDonald, J. W. Miller, Robinson, Shoemaker, Smith, Stratton, Vickers, Ward, Wakefield Weaver, and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. David Adams, Allen, Banta, Bishop, Bowers, Buchan, Childs, Cooper, Cummings, Davis, DeForrest, Ensign, Forsee, Frazier, Funston, Guffy, Harper, Hoesman, Hutchinson, Huntington, Legere, Lowrey, Mapes, G. M. Miller, Morgan, Motz, Peck, Snyder and Titus.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Belden, Bell, Billings, Blakely, Bond, Bowron, Brinkman, Cross, Eldridge, Harvey, Henshaw, Hungerford, Hutchings, W. J. Hunter, James, Kahler, Kalloch, Langdon, Larkin, Lowe, McDermott, McLean, Morrison, Nugent, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Searcy, Sellers, Sexton, Shaw, Simpson, Spaulding, Tough, Turner, Veale, Wells and Willetts.

And so the motion to strike out was lost.

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And the question now being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53 ; nays, 10.

The following gentlemen voted in the affirmative:

Messrs. Allen, Bateman, Bell, Bishop, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Curtain, Davis, Dillard, Ensign, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Hodges, Hutchings, Hutchinson, J. M. Hunter, James, Lane, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Nugent, Peck, Robinson, Sellers, Shoemaker, Smith, Snyder, Stratton, Titus, Vickers, Ward Wakefield and Weaver.

Gentlemen voting in the negative were :

Messrs. David Adams, Beaty, Cummings, DeForrest, Fields, Green, Hoesman, Huntington, Motz and Shaw.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Banta, Belden, Billings, Blakely, Bond, Brinkman, Eldridge, Harvey, Henshaw, Hungerford, W. J. Hunter, Jeffrey, Kahler, Kalloch, Langdon, Larkin, Lowe, McLean, Morrison, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Searcy, Sexton, Simpson, Spaulding, Tough, Turner, Veale, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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On motion

The House adjourned.

A. R. BANKS,

*Chief Clerk.*

AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Cummings, Curtain, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Lane, Lanter, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Plummer, Reasoner, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Quorum present.

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RESOLUTIONS CONSIDERED.

House Concurrent Resolution No. 40

Was taken up, and

On motion of Mr. Cochrane,

Was laid upon the table.

## House Concurrent Resolution No. 40:

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring :*

That resolutions appertaining to an adjournment *sine die* be made the Special Order of business at 11 o'clock A. M. Friday, March 7, 1873.

## House Concurrent Resolution No. 32:

*Resolved*, That the seat held by Mr. N. H. Billings on the floor of this House be declared vacant, and that *per diem* be refused from and after the first twenty-two days of the session,

Was taken up, and

Mr. David Adams moved to lay the resolution on the table.

Which motion was lost.

On motion,

The resolution was adopted.

## Senate Concurrent Resolution No. 43

Was taken up, and

Mr. Reasoner moved to lay it upon the table.

Which motion was lost.

Mr. Hutchinson moved to strike out the words

"Wednesday, 5th inst.," and insert the words "Thursday, the 6th inst."

Mr. J. M. Miller moved to amend the amendment by striking out Wednesday, the 5th inst., and inserting Friday, the 7th inst.

The question being on the amendment to the amendment,

The motion was lost.

The question recurring upon the amendment offered by Mr. Hutchings,

The motion prevailed.

The question being on the resolution as amended,

The resolution was adopted.

By consent,

Mr. Brenner introduced

House Bill No. 402, An act to legalize certain roads and highways in the county of Bourbon.

Which was read the first and second times and put upon its third reading.

By consent,

Mr. Fields introduced

House Bill No. 403, An act to amend an act entitled an act for the assessment and collection of taxes, (section 1 of said act) approved March 3, 1869.

Which was read the first and second times and put upon its third reading.

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BILLS ON THIRD READING.

Senate Bill No. 69, An act to correct an error in an act entitled an act to amend an act defining the boundaries of counties.

By consent,

Senate Bill No. 69

Was indefinitely postponed,

House Bill No. 341

Was indefinitely postponed.

Mr. Kahler moved to suspend the rules and take up

Senate Bill No. 151 now.

Which motion was lost.

House Bill No. 16, An act to encourage the growth of forest trees,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 54; nays, 6.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Banta, Beaty, Bell, Bishop, Blakely, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Hodges, Hoesman, Hutchinson, Huntington, James, Kahler, Lane, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Peck, Robinson, Sellers, Shaw, Simpson, Smith, Stratton, Titus, Vickers, Ward, Wakefield and Wells.

Gentlemen voting in the negative were:

Messrs. Bateman, Bowron, J. M. Hunter, Mapes, Nugent and Shoemaker.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Belden, Billings, Bond, Brinkman, Bowers, Buchan, Curtain, DeForrest, Eldridge, Gillespie, Green, Harvey, Henshaw, Hungerford, Hutchings, W. J. Hunter, Jeffrey, Kalloch, Langdon, Larkin, Morrison, Motz, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Veale, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and



The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 341, An act to amend an act entitled an act to regulate salvage, approved Feb. 23, 1869.

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 69; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Kahler, Lane, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Peck, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Bateman and Nugent.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Belden, Billings, Bond, Brinkman, Cooper, Eldridge, Frazier, Funston, Harvey, Henshaw, Hungerford, Jeffrey, Kalloch, Langdon, Larkin, Morrison, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Searcy, Sexton, Spaulding, Tough, Turner and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 293, An act amendatory of the road laws of Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 52; nays, 15.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cooper, Crew, Cross, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Harper, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Kahler, Lane, Larkin, Legere, Lowrey, Mapes, McDermot, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale and Ward.

Gentlemen voting in the negative were:

Messrs. Allen, Beaty, Cochrane, Cummings, Davis, Fanston, Guffy, Hodges, Lanter, Lowe, Nugent, Snyder, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bateman, Belden, Billings, Bond, Bowron, Brinkman, Curtain, Eldridge, Green, Harvey, Henshaw, Hoesman, Hungerford, Jeffrey, Kalloch, Langdon, McDonald, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Spaulding, Tough, Turner, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 226, An act amendatory to an act declaring hedges a legal fence.

On motion of Mr. Lanter,

House Bill No. 226

Was indefinitely postponed.

House Bill No. 294, An act entitled an act to amend an act to protect the people of Kansas from empiricism, and to elevate the standard of the medical profession.

Mr. McDermott moved to strike

House Bill No. 294

From the Calendar.

Which motion prevailed.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate accedes to the request of the House for a Committee of Conference on

House Bill No. 39.

Committee on part of the Senate were:

Messrs. McFarland, Grimes and Murdock.

And have rescinded its vote by which it failed to pass  
House Bill No. 306, An act authorizing the survey of  
township No. 21 south, of range 1 east,

And respectfully request the return of the bill for its  
further consideration.

GEO. C. CROWTHER,  
*Secretary.*

---

Mr. Gillespie moved to appoint a Committee of two on  
the part of the House as Committee on Conference on  
House Bill No. 39.

Which motion prevailed.

Messrs. Gillespie and Robinson were appointed as such  
Committee.

---

House Bill No. 213, An act to legalize proceedings and  
assessments of the mayor and councilmen of the city of Ne-  
osho in the year 1872,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 55; nays, 3.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bateman, Bell,  
Blakely, Bowers, Brenner, Brown, Childs, Cooper, Crew,  
Cross, Curtain, Davis, DeForrest, Dillard, Ensign, Fields,  
Forsec, Frazier, Gillespie, Gregg, Guffy, Harper, Hodges,  
Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James,  
Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McLean,

J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Vickers, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Bishop, Cochrane and Lanter.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Beaty, Belden, Billings, Bond, Bowron, Brinkman, Buchan, Cummings, Eldridge, Funston, Green, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Jeffrey, Kalloch, Langdon, McDermott, McDonald, Morrison, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Veale, Ward, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 261, An act to amend section 52, chapter 102, General Statutes,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 51; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Bell, Bowers, Brown, Cochrane, Cooper, Crew, Cross, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Hodges, Hutchinson, W. J. Hunter,

James, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McLean, J. W. Miller, G. M. Miller, Nugent, Peck, Robinson, Shaw, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Beaty, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brenner, Brinkman, Buchan, Childs, Cummings, DeForrest, Eldridge, Gillespie, Green, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, Jeffrey, Kalloch, Langdon, Lanter, McDermott, McDonald, Morgan, Morrison, Motz, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Searcy, Sellers, Sexton, Shoemaker, Snyder, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 379, An act to regulate the manner of holding elections, to amend the constitution, or to call a convention to revise, amend, change or form a new constitution,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 55; nays, 4.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Banta, Beaty, Bell, Blakely, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cross,

Davis, DeForrest, Fields, Forsee, Funston, Gregg, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, James, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Veale, Vickers, Ward, Wakefield and Weaver.

Gentlemen voting in the negative were :

Messrs. Bateman, Cummings, Dillard and Snyder.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Belden, Billings, Bishop, Bond, Bowers, Bowron, Brinkman, Buchan, Curtain, Eldridge, Ensign, Frazier, Gillespie, Green, Harvey, Henshaw, Hungerford, Jeffrey, Kalloch, Langdon, Lanter, McDonald, Morgan, Morrison, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Searcy, Sexton, Spaulding, Titus, Tough, Turner, Willets, Wells and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 10, An act to add Elm Grove township, of Labette county, to the 44th representative district,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 58; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Blakely, Bowers, Brown, Childs, Cochrane, Cooper, Crew, Cross, Cummings, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Huntington, Hutchinson, W. J. Hunter, James, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, Peck, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Veale, Vickers, Ward, Wakefield and Weaver.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Bond Bowron, Brenner, Brinkman, Buchan, Curtain, Davis, Eldridge, Ensign, Gillespie, Harvey, Henshaw, Hungerford, J. M. Hunter, Jeffrey, Kalloch, Langdon, Lanter, McDonald, Morgan Morrison, O'Driscoll, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Titus, Tough, Turner, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 116, An act to limit the time for the transfer of the bonds of Atchison county to the Atchison, Oskaloosa and Lawrence railroad,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53; nays, 0.

The following gentlemen voted in the affirmative:



Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Bowers, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cross, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Hodges, Hoesman, Hutchinson, Huntington, W. J. Hunter, James, Kahler, Lane, Larkin, Legere, Lowe, Mapes, J. W. Miller, G. M. Miller, Motz, Nugent, Reasoner, Sellers, Shaw, Shoemaker Simpson, Smith, Stratton, Titus, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brinkman, Buchan, Cummings, Eldridge, Funston, Guffy, Harper, Harvey, Henshaw, Hutchings, Hungerford, J. M. Hunter, Jeffrey, Kalloch, Langdon, Lanter, Lowrey, McDermott, McDonald, McLean, Morrison, Morgan, O'Driscoll, Plummer, Peck, Robinson, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Veale, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Substitute for House Bill No. 224, An act supplemental to an act for the encouragement of agriculture, approved February 19, 1872,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 63 ; nays, 0.

The following gentlemen voted in the affirmative

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Cummings, Davis, DeForrest, Ensign, Forsee, Fields, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Nugent, Peck, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Brinkman, Crew, Cross, Curtain, Dillard, Eldridge, Harvey, Henshaw, Hungerford, W. J. Hunter, Jeffrey, Kalloch, Langdon, Lanter, McDermott, McDonald, Motz, O'Driscoll, Plummer, Reasoner, Ross, Scofield, Searcy, Sexton, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the resolution,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 313, An act relating to district, and county agricultural societies and farmers' clubs, and amendatory of section 2 of chapter 37 of the Statutes of 1872, relating to the State Agricultural Society,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 61; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Brenner, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, James, Jeffrey, Kalloch, Langdon, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Belden, Billings, Blakely, Bond, Bowers, Bowron, Brinkman, Brown, Cross, Curtain, Eldridge, Frazier, Gillespie, Harvey, Henshaw, Hungerford, W. J. Hunter, Kahler, Lane, Larkin, Mapes, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Spaulding, Titus, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 391, An act to amend section 254 of an act entitled an act regulating crimes and punishments,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 58; nays, 11.

Gentlemen voting in the affirmative were :

Messrs. Allen, Baker, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Brenner, Brinkman, Brown, Childs, Cooper, Crew, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Hodges, Hutchinson, Huntington, W. J. Hunter, James, Kahler, Lane, Legere, Lowrey, Lowe, Mapes, McDermott, J. W. Miller, G. M. Miller, Motz, Nugent, O'Driscoll, Reasoner, Robinson, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakofield, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. David Adams, Cochrane, Cross, Gillespie, Hoesman, Hutchings, J. M. Hunter, Larkin, McDonald, Morgan and Peck.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Bateman, Belden, Billings, Bond, Bowron, Buchan, Curtain, Eldridge, Harvey, Henshaw, Hungerford, Jeffrey, Kalloch, Langdon, Lanter, McLean, Morrison, Plummer, Ross, Scofield, Searcy, Sexton, Shoemaker, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 360, An act making appropriations for the support of the Blind Asylum,

Was read the third time.

And the question being: Shall the resolution pass?

The yeas and nays were had with the following result:

Yeas, 67; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bateman, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Hodges, Hoesman, Hutchinson, Huntington, J. M. Hunter, James, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Beaty, Belden, Billings, Bond, Bowron, Brinkman, Eldridge, Green, Harvey, Henshaw, Hungerford, Hutchings, W. J. Hunter, Jeffrey, Kalloch, Langdon, Lanter, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Shoemaker, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Substitute for House Bill No. 59, An act to appropriate money to erect an east wing to the State Insane Asylum,

Was read the third time.

The question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 54 ; nays, 8.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Bateman, Beaty, Bell, Bishop, Blakely, Brown, Cochrane, Cooper, Crew, Cross, Cummings, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Hutchinson, Huntington, W. J. Hunter, James, Kahler, Lane, Larkin, Lanter, Legere, Lowrey, McDermott, J. W. Miller, G. M. Miller, Morgan, Nugent, Peck, Reasoner, Robinson, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Vickers, Ward, Wakefield, Weaver Wells and Mr. Speaker Kollogg.

Gentlemen voting in the negative were:

Messrs. Allen, DeForrest, Gillespie, Hodges, Hutchings, Lowe, Mapes and Motz.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Pelden, Billings, Bond, Bowron, Bowers, Brenner, Brinkman, Buchan, Childs, Curtain, Eldridge, Harvey, Henshaw, Hoeman, Hungerford, J. M. Hunter, Jeffrey, Kalloch, Langdon, McDonald, McLean, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sellers, Sexton, Shoemaker, Spaulding, Tough, Turner, Veale and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 13, An act making an appropriation for the State Asylum for the Deaf and Dumb.

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 1.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Bateman,, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Hoesman, Hutchinson, Huntington, J. M. Hunter, James, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Nugent, Peck, Reasoner, Robinson, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Vickers, Ward, Wakefield, Weaver and Wells.

Mr. Allen voted in the negative.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Belden, Billings, Bond, Brinkman, Buchan, Curtain, DeForrest, Eldridge, Gillespie, Harvey, Henshaw, Hodges, Hungerford, Hutchings, W. J. Hunter, Jeffrey, Kalloch, Langdon, Lanter, McLean, Morrison, Motz, O'Driscoll, Plummer, Rosa, Scofield, Searcy, Sellers, Sexton, Spaulding, Tough, Turner, Veale, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 394, An act making appropriations for the current expenses of the State Asylum for the Deaf and Dumb,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Bacon, Bateman, Beatty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Hodges, Hoesman, Hutchinson, Huntington, J. M. Hunter, James, Kahler, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Peck, Reasoner, Robinson, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Vickers, Wakefield, Weaver, Wells and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Banta, Beldon, Billings, Bond, Brickman, Buchan, Childs, Curtain, Eldridge, Gillespie, Harper, Harvey, Henshaw, Hungerford, Hutchings, W. J. Hunter, Jeffrey, Kalloch, Langdon, Morrison, Nugent, O'Driscoll, Plummer, Rose, Scofield, Searcy, Sellers, Spaulding, Tough, Turner, Veale, Ward and Willets.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 353, An act entitled an act to provide for the appointment of regents, directors and trustees for the control of public institutions of the State and defining certain powers thereof,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:



Yeas, 58; nays, 3.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Bateman, Beatty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Cooper, Crow, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, J. M. Hunter, W. J. Hunter, James, Kahler, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Peck, Reasoner, Robinson, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Cross, Cummings and Huntington.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Belden, Billings, Bond, Brinkman, Buchan, Eldridge, Gillespie, Harvey, Henshaw, Hungerford, Jeffrey, Kalloch, Langdon, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sellers, Sexton, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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On motion of Mr. Veale,

House Bill No. 399

Was taken up and

Read the third time.

House Bill No. 399, An act for the relief of persons therein named,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 61; nays, 1.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Fields, Forsee, Funston, Gregg, Green, Guffy, Harper, Hodges, Hoesman, Hutchinson, Huntington, W. J. Hunter, James, Kahler, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDonald, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield and Wells.

Mr. Dillard voted in the negative.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Belden, Billings, Bond, Brinkman, Curtain, Eldridge, Ensign, Frazier, Gillespie, Harvey, Henshaw, Hungerford, Hutchings, J. M. Hunter, Jeffrey, Kalloch, Langdon, Lanter, McDermott, McLean, Morrison, O'Driscoll, Peck, Plummer, Ross, Scofield, Searcy, Sexton, Snyder, Spaulding, Tough, Turner, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Mr. Kahler moved to strike

House Bill No. 151

From the Calendar.

Which motion prevailed.

By consent,

Mr. McDonald introduced

House Bill No. 405, An act to amend section 36 of an act incorporating cities of the second class.

Which was read the first and second times and put upon its third reading.

By consent,

Mr. Veale introduced

House Bill No. 406, An act making an appropriation to the insurance department.

Which was read the first and second times and put upon its third reading.

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On motion,

The House adjourned until 7½ o'clock this p. m.

A. R. BANKS,

*Chief Clerk.*

## EVENING SESSION.

7½ O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, Davis, DeForest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Guffy, Harper, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Quorum present.

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Mr. Lanter offered the following resolution:

WHEREAS, It has pleased Almighty God to remove from our midst by death, Miss Emma Bragg, a worthy and efficient page of this House; therefore,

*Resolved*, That we tender to the bereaved parents our heartfelt sympathy and condolence.

*Resolved*, That a copy of this resolution be furnished the family of which the deceased was a member, and also be spread on the Journal of the House.

On motion,

The resolution was unanimously adopted.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has passed

Senate Bill No. 161, An act to restrain State officers and officers of State Institutions.

In which your immediate action is respectfully desired.

GEO. C. CROWTHER,

*Secretary.*

On motion of Mr. Hutchings,

The rules were suspended, and

Senate Bill No. 161,

Was taken up, and

Read a first and second time, and

Put upon its third reading.

Senate Bill No. 161, An act to restrain State Officers and Officers of State Institutions,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were demanded, and

The roll was called with the following result:

Yeas, 65; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Bell, Bishop, Bowron, Brenner, Brown, Buchan, Childs, Cochran, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Hodges, Hoesman, Hutchings, Hutchinson, Huntington, James, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Peck, Reasoner, Robinson, Sollers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield and Wells.

Mr. J. M. Hunter voted in the negative.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Bateman, Beldon, Billings, Blakely, Bond, Bowers, Brinkman, Eldridge, Gregg, Green, Harvey, Henshaw, Hungerford, W. J. Hunter, Jeffrey Kahler, Kalloch, Langdon, Lanter, Morrison, O'Driscoll, Plummer, Ross, Scofield, Searcy, Sexton, Spaulding, Tough, Turner, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. McDermott moved that the House now go into Committee of the Whole for the consideration of House Bill No. 247, and bills on General Orders.

Mr. Buchan moved to amend :

That the House go in to Committee of the Whole on General Orders.

The question being on the amendment offered by Mr Buchan,

The motion was lost.

The question being on the original motion of Mr. McDermott.

The motion prevailed.

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COMMITTEE OF THE WHOLE.

The House resolved itself into Committee of the Whole.

Mr. Lanter in the Chair.

After some time spent in debate therein the Committee arose, and through its Chairman made the following report

MR. SPEAKER: The Committee of the Whole House have had under consideration

House Bill No. 247, An act to secure civil rights to the citizens of this State,

And recommend its passage.

House Bill No. 277, An act to amend sections 601 and 608, of chapter 80 of the General Statutes,

And recommend its passage.

House Bill No 395, An act making appropriations for completing the eastern portico of the State House, and for the care and improvement of the State House Grounds.

And recommend its passage.

House Bill No. 387, An act making appropriations for miscellaneous expenses.

Pending the action of the Committee on House Bill No. 387,

The Committee arose and reported grievance.

LANTER,  
*Chairman.*

The Speaker decided that the amendment of the gentleman from Reno was not in order.

Upon which an appeal was taken.

The question being: Shall the decision of the Chair stand as the judgment of the House?

Upon which the roll was called with the following result:

Yeas, 32; nays, 25.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Bell, Bishop, Blakely, Brenner, Buchan, Childs, Cochrane, Cummings, Curtain, Davis, Dillard, Funston, Guffy, Hodges, Hoesman, Huntington, J. M. Hunter, W. J. Hunter, Lane, Legere, Mapes, McDermott, McDonald, G. M. Miller, Morgan, Motz, Peck, Shaw, Snyder, Titus and Ward.

Gentlemen voting in the negative were:

Messrs. Allen, Baker, Banta, Brown, Crew, Cross, De-Forrest, Ensign, Fields, Forsee, Frazier, Harper, Hutchings, Hutchinson, Larkin, Lowrey, Lowe, J. W. Miller, Plummer, Reasoner, Sellers, Simpson, Smith, Stratton, Wakefield and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Beaty, Belden, Billings, Bond, Bowers, Bowron, Brinkman, Cooper, Eldridge, Gillespie, Gregg, Green, Harvey, Henshaw, Hungerford, James, Jeffrey, Kahler, Kalloch, Langdon, Lanter, McLean, Morrison, Nugent, O'Driscoll, Robinson, Ross, Scofield, Searcy, Sexton, Shoemaker, Spaulding, Tough, Turner, Veale, Vickers, Weaver, Willets and Mr. Speaker Kellogg.

The grievance having been settled,



The Chairman of the Committee of the Whole again took the chair, and the Committee resumed its action upon House Bill No. 387,

And recommend its passage as amended.

By consent,

The report of the Committee was agreed to.

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Mr. Buchan moved that

House Bills Nos. 366 and 367

Be put upon their third reading.

Which motion prevailed.

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On motion

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

## MORNING SESSION.

TUESDAY, MARCH 4, 1873, 9 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bond, Bowers, Bowron, Brenner, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, DeForrest, Dillard, Fields, Forsee, Frazier, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, J. W. Miller, G. M. Miller, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Wakefield, Weaver, Wells Willets and Mr Speaker Kellogg.

Quorum present.

Prayer by Rev. Mr. Knox.

On motion,

The reading of the Journal was dispensed with.

---

On motion of Mr. Allen,

The rules were suspended, and

House Bill No. 297, An act to amend section 1 of chapter 195 of the laws of 1872,

Was taken up, and

Read a third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 60; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Cummings, Dillard, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchinson, Huntington, W. J. Hunter, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, J. W. Miller, G. M. Miller, Morgan, O'Driscoll, Peck, Plummer, Robinson, Searcy, Sellers, Shaw, Shoemaker, Smith, Snyder, Stratton, Titus, Vickers, Ward Wakefield Weaver and Willets.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Belden, Billings, Bond, Brinkman, Buchan, Cross, Curtain, Davis, DeForrest, Eldridge, Ensign, Funston, Guffy, Hoesman, Hutchings, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, McDonald, McLean, Morrison, Motz, Nugent, Reasoner, Ross, Scofield, Sexton, Simpson, Spaulding, Tough, Turner, Veale, Wells and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

## MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 189, An act entitled an act to vacate the public park in the town of Douglas, Butler county.

House Bill No. 289, An act making appropriations for certain persons therein named,

With amendments thereon noted.

House Bill No. 136, An act to vacate the town of Ashland, Davis county.

House Bill No. 270, An act for the relief of tax payers of school district No. 9, Ottawa county, State of Kansas.

Senate Bill No. 121, Relating to publishing statements of insurance companies in newspapers.

Senate Bill No. 135, An act for the relief of Jonathan B. Sneider.

House Bill No. 330, An act to amend an act with reference to cities of the first class,

With an amendment.

House Bill No. 140, An act to vacate a portion of the town of Cherokee, in Crawford county, and Pawnee and Oldham's addition to the town of Osage, in Bourbon county, Kansas.

Senate Bill No. 154, An act relating to State roads in the counties of Bourbon, Neosho and Wilson.

House Bill No. 316, An act for the relief of Mission Township, in Neosho county.

And has failed to pass

House Bill No. 306, An act to authorize the survey of township 21 south, of range 1 east.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

Sub. for House Bill No. 234, An act supplemental to an act to provide for the auditing of settlement and assumption of the Price Raid claims of 1864, and Indian expedition under Major General Curtis in July and August, 1864, approved February 19, 1869,

With amendments.

GEO. C. CROWTHER,

*Secretary.*

By consent,

Messages from the Senate were taken up, and

Senate Bill No. 154, An act in relation to a State road in the counties of Bourbon, Neosho and Wilson,

And

Senate Bill No. 121, An act relating to the publication of statements of insurance companies in newspapers,

And

Senate Bill No. 138, An act for the relief of Jonathan B. Snider,

Were read a first and second time and put upon their third reading.

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House Bill No. 330, An act to amend an act with reference to cities of the first class,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 59; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, Lane, Larkin, Legere, Lowrey, Lowe, McDonald, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Ward, Wakefield, Weaver and Wells.

Gentlemen absent or not voting were :

Messrs. D: M. Adams, Bacon, Belden, Billings, Bond, Brenner, Brinkman, Childs, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Funston, Guffy, Hutchings, Hutchinson, J. M. Hunter, James, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Mapes, McDermott, McLean, Morrison, Motz, Ross, Scofield, Sexton, Spaulding, Titus, Tough, Turner, Veale, Vickers, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent of the House,

Mr. Geo. E. Brown, Doorkeeper, was granted leave of absence until to-morrow at 2 P. M.

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#### REPORTS OF STANDING COMMITTEES.

Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

**MR. SPEAKER:** The Committee on Engrossed Bills, to whom was referred

House Bill No. 353,

Have had the same under consideration, and instruct me to report the bills back to the House correctly engrossed.

**WM. JEFFREY,**

*Chairman.*

**Mr. Allen, Chairman of the Committee on County Seats and County Lines, made the following report :**

**MR. SPEAKER:** The Committee on County Seats and County Lines, to whom was referred

House Bill No. 392, An act to provide for the building of bridges,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that the substitute be passed.

**E. B. ALLEN,**

*Chairman.*

**Mr. Hutchinson, Chairman of the Committee on Congressional Apportionment, made the following report :**

**MR. SPEAKER:** The Committee on Congressional Apportionment, to whom was referred :

House Bill No. 397, An act providing for the apportionment of the State into three congressional districts,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

**C. C. HUTCHINSON,**

*Chairman.*

**Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report :**

**MR. SPEAKER:** The Committee on Enrolled Bills have examined

House Bill No. 79, An act to amend section 13 of chapter 25 of the General Statutes of 1868, relating to meeting of county boards.

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness.

House Bill No. 200, An act to change the name of a certain road.

House Bill No. 25, An act to declare certain section lines public highways.

House Bill No. 108, An act amendatory of section 5 of chapter 24 of the General Statutes.

House Bill No. 242, An act authorizing an enumeration of persons of school age in Jewell county, Kansas.

House Bill No. 209, An act to enable the county commissioners of Rice county to issue bonds to pay their indebtedness.

House Bill No. 12, An act extending the boundary lines of the city of Columbus, in the county of Cherokee, and defining the same.

House Bill No. 87, An act to establish a State road through the counties of Rice, Elsworth, Lincoln, Mitchell and Jewell.

House Bill No. 36, An act to create the fifteenth judicial district and to provide for a judge thereof and for holding the terms of court therein.

House Bill No. 35, An act to legalize the official acts of a township assessor and deputy assessor.

House Bill No. 172, An act to regulate the terms of court in the eighth judicial district.

House Bill No. 245, An act providing for certain improvements in Leavenworth county.

House Bill No. 154, An act to authorize the board of



county commissioners of Jefferson county, to issue and sell the bonds of said county for the purpose of completing bridges.

House Bill No. 163, An act to define the boundaries of the ninth judicial district, and to fix the terms of court in the several counties thereof.

House Bill No. 383, An act to authorize Kansas City, Kansas, to make certain improvements therein named.

House Bill No. 77, An act to amend certain chapters of the General Statutes.

House Bill No. 7, An act to regulate taxation on the change of boundary lines.

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

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Substitute for House Bill No. 234, An act supplemental to an act to provide for the auditing of, settlement and assumption of the Price Raid claims of 1864, and Indian expedition under Major General Curtis in July and August, 1864, approved February 19, 1869,

Was taken up, and

On motion to concur in the Senate amendments thereto,

The yeas and nays were had with the following result:

Yeas, 68; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper,

Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Plummer, Reasoner, Robinson, Searcy, Shaw, Shoemaker, Simpson, Snyder, Stratton, Titus, Vickers, Ward, Wakefield, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Belden, Billings, Bond, Cummings, Curtain, Davis, Eldridge, Green, Hutchings, Hutchinson, Jeffrey, Kahler, Kalloch, Langdon, McLean, Morrison, Motz, Peck, Ross, Scofield, Sellers, Sexton, Smith, Spaulding, Tough, Turner, Veale, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring in Senate amendments,

The House concurred.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. McDonald, Chairman of the Committee of Conference on House Bill No. 39, made the following report:

MR. SPEAKER: The Committee of Conference to whom was referred Substitute for House Bill No. 39, report:

1. That Senate amendment to section 1, requiring the police judge to be elected by the people, be concurred in.
2. That Senate amendment to section 1, requiring the city marshal to be elected by the people, be not concurred in.
3. That Senate amendment to section 1, striking out two years and inserting one year, be concurred in.
4. That Senate amendment to section 2, making the salaries of councilmen in cities of less than five thousand in-

habitants, not more than fifty dollars, and over five thousand inhabitants, not more than one hundred dollars, be concurred in.

5. That Senate amendment to section 3, referring to levy of taxes for macadamizing, curbing and guttering, be not concurred in.

6. That Senate amendment to section 3, fixing notices at ten days instead of a reasonable time, be concurred in.

7. Senate amendment to section 5, striking out the provisions for separate schools for colored children, be concurred in.

8. That Senate amendment to section 7, limiting levies of taxes for support of schools, be not concurred in, and that said rates of levy be limited to 8 mills on the dollar.

9. That Senate amendment to section 7, striking out "which levy shall be approved by the city council etc., be not concurred in.

10. That Senate amendment striking out section 10 of the original bill, be concurred in.

11. That Senate amendments adding section 10 to the bill, be concurred in.

McDONALD,

*Chairman.*

On motion the report of the Committee was adopted and the Committee discharged.

On motion of Mr. Stratton,

House Bill No. 325,

Was put on its third reading.

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BILLS ON THIRD READING.

House Bill No. 325, An act in reference to roads and

highways, and to amend the General Statutes, chapter 89, section 3, and chapter 175, section 1, of the laws of 1872,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Willets, Wells and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 16, An act concerning universities and institutions of learning,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crow, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Snyder, Smith, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 384, An act authorizing the Governor to procure a new die or engraving for the great seal,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childe, Cochran, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Beldon, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 401, An act to vacate the public highway on section lines in Cherokee county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Grogg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searey, Sellers, Shaw, Shoemaker, Simpeon, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Curtain, Cummings, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 88, An act authorizing the county treasurer of Ellsworth county to transfer certain funds,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets, and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 305, An act to provide for the organization of Great Bend as a city of the third class,

Was read the third time.

And the question being: Shall the bill pass?



The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochran, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 393, An act to establish a State road,  
Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Beatty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 352, An act to change a name,

Was read the third time.

And the question being : Shall the bill pass?

The yeas and nays were demanded, and

The roll was called with the following result :

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Willets, Wells and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 229, An act with reference to cities of the first class,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Metz, Ross, Scofield, Sexton, Snyder, Smith, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 373, An act to locate a State road,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochran, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 317, An act to establish a certain State road in Leavenworth and Atchison counties,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Grogg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Curtain, Cummings, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kähler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 402, An act to legalize certain roads and highways in the county of Bourbon,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets, and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 347, An act to locate a certain State road in Douglas county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochran, Crow, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillospie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugont, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver, Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 384, An act authorizing the Governor to procure a new die or engraving for the great seal,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

The following gentlemen voted in the affirmative:



Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoceman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Senate Bill No. 90, An act to change the terms of court in the fourteenth judicial district, and establishing courts in certain counties therein named,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 62; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peek, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward and Wakefield.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Cooper, Cummings, Curtain, Davis, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kalloch, Langdon, McDermott, McDonald, McLean, Morrison, Motz, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Weaver Wells, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No 395, An act making appropriations for completing the eastern portico of the State House, and for the care and improvement of the State House Grounds,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 62; nays, 12.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Baker, Bell, Brenner, Brown, Buchan, Childs, Cochrane, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Hodges, Huntington, W. J. Hunter, J. M. Hunter, James, Lane, Larkin, Lanter, Legere, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Simpson, Smith, Titus, Veale, Wakefield and Weaver.

Gentlemen voting in the negative were :

Messrs. Allen, Bowron, Harvey, Hungerford, Lowrey, Snyder, Stratton, Vickers, Ward and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Beaty, Bateman, Belden, Billings, Bishop, Blakely, Bond, Bowers, Brinkman, Cooper, Curtain, Eldridge, Ensign, Henshaw, Hoesman, Hutchings, Hutchinson, Jeffrey, Kahler, Kallloch, Langdon, Morrison, Ross, Scofield, Sexton, Shoemaker, Spaulding, Tough, Turner, Wells and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 277, An act to amend sections 601 and 608, of chapter 80 of the General Statutes,

Was read the third time.

And the question being: Shall the resolution pass?

The yeas and nays were had with the following result :

Yeas, 51; nays, 6.

The following gentlemen voted in the affirmative :

Messrs. Baker, Banta, Bateman, Bell, Blakely, Bowron, Brenner, Brown, Childs, Cochrane, Cooper, Cummings, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gregg, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Nugent, O'Driscoll, Peck, Plummer, Robinson, Sellers, Shaw, Smith, Stratton, Vickers, Wakefield, Weaver, Wells and Willets.

Gentlemen voting in in the negative were :

Messrs. Allen, Crew, Gillespie, Green, Lowe and Simpson.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bishop, Bond, Bowers, Brinkman, Buchan, Cross, Curtain, Eldridge, Ensign, Frazier, Guffy, Hungerford, Hutchinson, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Morgan, Morrison, Motz, Reasoner, Ross, Scofield, Searcy, Sexton, Shoemaker, Snyder, Spaulding, Titus, Tough, Turner, Veale, Ward and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 139, An act to vacate certain lots, blocks, streets and alleys in towns herein named, and part of the town site of Lanesfield, in Johnson county, Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchinson, Jeffrey, Kalloch, Kahler, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 19, An act concerning the bridging of the Great Arkansas river, in Rockford township, Sedgwick county,

Was read the third time.

The question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchinson, Jeffrey, Kalloch, Kahler, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner and Mr. Speaker Kollogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 86, An act relating to roads and section lines in the county of Dickinson,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchinson, Jeffrey, Kalloch, Kahler, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 140, An act to vacate certain streets and alleys and public grounds,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchinson, Jeffrey, Kalloch, Kahler, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 93, An act to legalize the acts of A. A. Higginbotham as notary public,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:



Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchinson, Jeffrey, Kalloch, Kahler, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 305, An act to provide for the organization of Great Bend as a city of the third class,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchinson, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 61, For the relief of John B. Scott.

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs,

Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Huntington, W. J. Hunter, J. M. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchings, Hutchinson, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of concurring in Senate amendments,

The House concurred.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 122, An act to authorize the Austin Mill Company to build and maintain a dam across the Neosho river, in Neosho county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs,

Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchinson, Jeffrey, Kalloch, Kahler, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner, and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 60, An act to vacate that part of the town site of the city of LeRoy lying south of the Neosho river,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs,

Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchinson, Jeffrey, Kalloch, Kahler, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 34, An act to authorize W. W. Jerome to build a mill dam across the Big Blue, in Marshall county,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs,

Cochrane, Cooper, Crew, Cross, Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakofield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Brenner, Brinkman, Cummings, Curtain, Eldridge, Ensign, Frazier, Hungerford, Hutchinson, Jeffrey, Kahler, Kalloch, Langdon, Lanter, Mapes, McDonald, McLean, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 247, An act to secure civil rights to the citizens of this State,

Was read the third time,

And the question being: Shall the bill pass.

The yeas and nays were had with the following result:

Yeas, 57; nays, 7.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cooper, Crew, Cross,

Davis, DeForrest, Dillard, Fields, Forsee, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, Lane, Lanter, Legere, Lowe, McDermott, McLean, G. M. Miller, Nugent, Reasoner, Robinson, Sellers, Shaw, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Cochrane, Cummings, Hoesman, Lowrey, O'Driscoll, Peck and Searcy.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Bateman, Beaty, Belden, Billings, Bond, Brinkman, Buchan, Curtain, Eldridge, Ensign, Frazier, Gillopie, Hutchinson, James, Jeffrey, Kahler, Kalloch, Langdon, Larkin, Mapes, McDonald, J. W. Miller, Morgan, Morrison, Motz, Plummer, Ross, Scofield, Soxton, Shoemaker, Simpson, Spaulding, Tough and Turner.

And so a constitutional majority having voted in the of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent of the House,

The Pages were excused to attend the funeral services of Miss Emma Bragg.

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On motion

The House adjourned.

A. R. BANKS,  
Chief Clerk.

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Baker, Bateman, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Ward, Wakefield, Wells and Willets.

Quorum present.

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Mr. Baker moved that

House bill No 329

Be made a Special Order for this P. M. at 7½ o'clock.

Which motion was lost.

Mr. Hutchings moved that all bills on congressional apportionment be made a Special Order for 11 A. M. to-morrow.

Which motion was lost.



House Bill No. 329, An act to provide for building a boom across the Big Blue river in Marshall county, Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 52; nays, 12.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bateman, Blakely, Bowers, Bowron, Buchan, Childs, Cummings, DeForrest, Fields, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Huntington, W. J. Hunter, James, Larkin, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Stratton, Veale, Wakefield, Wells and Willets.

Gentlemen voting in in the negative were:

Messrs. Brenner, Brown, Cochrane, Cooper, Crew, Dillard, Hungerford, Lane, Lanter, Lowe, Titus and Ward.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Beaty, Belden, Bell, Billings, Bishop, Bond Brinkman, Cross, Curtain, Davis, Eldridge, Ensign, Gillespie, Hutchings, Hutchinson, J. M. Hunter, Jeffrey, Kahler, Kallooh, Langdon, Morrison, Nugent, Ross, Scofield, Sexton, Spaulding, Snyder, Tough, Turner, Vickers, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

Mr. Harper offered the following resolution :

*Resolved*, That the Governor be requested to return House Bill No. 177 to this House for amendment.

On motion,

The resolution was adopted.

By consent,

Mr. Titus offered

House Joint Resolution No. 8, Providing for an amendment to the constitution.

Mr. Fields moved to read it a second time now.

Which motion was lost.

Senate Bill No. 88, An act to regulate and fix the terms of court in the fifth judicial district,

Was read the third time.

And the question being: Shall the bill pass ?

The roll was called with the following result:

Yeas, 51 ; nays, 4.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Banta, Bateman, Blakely, Bowron, Brenner, Brown, Buchan, Crew, Cummings, Davis, De-Forrest, Fields, Forsee, Frazier, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, G. M. Miller, Morgan, Plummer, Robinson, Searcy, Sellers, Shaw, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Wells and Willots.

Gentlemen voting in the negative were:

Messrs. Allen, Beaty, Cooper and Dillard.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Belden, Bell, Bil-

lings, Bishop, Bond, Bowers, Brinkman, Childs, Cochrane, Cross, Curtain, Eldridge, Ensign, Funston, Gillespie, Hungerford, Hutchings, Hutchinson, James, Kahler, Kalloch, Langdon, Lanter, J. W. Miller, Morrison, Motz, Nugent, O'Driscoll, Peck, Reasoner, Ross, Scofield, Sexton, Shoemaker, Simpson, Smith, Snyder, Spaulding, Tough, Turner, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 30, An act to amend an act entitled an act providing for a State Normal School north of the Kansas river,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 64; nays, 3.

The following gentlemen voted in the affirmative

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Buchan, Childs, Crew, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, McDonald, McLean, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Allen, Lanter and Weaver.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bond, Bowron, Brinkman, Cochrane, Cooper, Cross, Cummings, Curtain, Eldridge, Funston, Green, Guffy, Hutchings, Hutchinson, Kahler, Kalloch, Langdon, Mapes, McDermott, J. W. Miller, Morrison, Plummer, Ross, Scofield, Sexton, Simpson, Snyder, Spaulding, Tough and Turner.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 366, An act to amend section 160 of article 10, chapter 82, of the General Statutes of 1868,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result

Yeas, 56 ; nays, 3.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Bowron, Brenner, Brown, Buchan, Childs, Crow, Cross, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Harper, Harvey, Hodges, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Larkin, Legere, Lowrey, Lowe, McDermott, McLean, G. M. Miller, Morgan, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Stratton, Titus, Veale, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen voting in the negative were :

Messrs. Cochrane, Lanter and McDonald.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Belden, Bell, Billings, Bishop, Blakely, Bond, Bowers, Brinkman, Cooper, Cummings, Curtain, Eldridge, Gillespie, Guffy, Henshaw, Hoesman, Hutchings, Hutchinson, Kahler, Kalloch, Lane, Langdon, Mapes, J. W. Miller, Morrison, Motz, Nugent, Ross, Scofield, Sexton, Simpson, Smith, Snyder, Spaulding, Tough, Turner, Vickers and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Substitute for House Bill No. 237, An act to amend section 101 of chapter 36 of the General Statutes of 1868,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 67 ; nays, 1.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Banta, Bateman, Bell, Bishop, Blakely, Bowron, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, W. J. Hunter, Jeffrey, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Stratton, Titus, Veale, Vickers, Ward Wakefield, Weaver, Wells and Willets.

Mr. Beaty voted in the negative.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Baker, Belden, Billings, Bond, Bowers, Brenner, Brinkman, Curtain, Eldridge, Guffy, Hutchinson, J. M. Hunter, James, Kahler, Kalloob, Langdon, Mapes, Morrison, G. M. Miller, Plummer, Ross, Scofield, Sexton, Simpson, Smith, Snyder, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 138, An act for the relief of Jonathan B. Snider,

Was read the third time.

And the question being: Shall the bill pass ?

The roll was called with the following result:

Yeas, 52; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Baker, Banta, Blakely, Bowron, Buchan, Childs, Crew, Cross, Cummings, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Larkin, Lowe, Mapes, McDonald, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Robinson, Sellers, Shaw, Shoemaker, Simpson, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Bateman, Beaty, Belden, Bell, Billings, Bishop, Bond, Bowers, Brenner, Brinkman, Brown, Cochrane, Cooper, Curtain, Davis, Eldridge, Frazier, Guffy, Hungerford, Hutchinson, Kahler, Kalloch, Langdon, Lanter, Legere, Lowrey, McDermott, McLean, Morrison, Motz, Reasoner, Ross, Scofield, Searcy, Sexton, Smith, Spaulding, Tough, Turner, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Senate Bill No. 121, An act relating to the publication of statements of insurance companies in newspapers,

On motion of Mr. Hutchings, the enacting clause was stricken out.

Senate Bill No. 95, Making an appropriation to the State Horticultural Society,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 59; nays, 8.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Beaty, Bell, Bishop, Blakely, Brown, Childs, Crew, Cross, Davis, DeForrest, Dillard, Ensign, Fields, Frazier, Funston, Gillespie, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan,

Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Wakofield, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Buchan, Cochrane, Cummings, Gregg, Hungerford, Lanter, Lowrey and Ward.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Banta, Bateman, Belden, Billings, Bond, Bowers, Bowron, Brenner, Brinkman, Cooper, Curtain, Eldridge, Forsee, Green, Guffy, Harper, Hutchinson, W. J. Hunter, Kahler, Kalloch, Langdon, Morrison, Motz, Ross, Scofield, Sexton, Spaulding, Tough, Turner, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 406, An act making an appropriation to the insurance department,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result :

Yeas, 52 ; nays, 8.

The following gentlemen voted in the affirmative :

Messrs. Baker, Banta, Bell, Bishop, Blakely, Bowron, Brown, Buchan, Crew, Cross, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Guffy, Harper, Harvey, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Legero, Lowrey, McDer



mott, McDonald, J. W. Miller, G. M. Miller, Morgan, O'Driscoll, Plummer, Reasoner, Robinson, Searcy, Shaw, Shoemaker, Snyder, Stratton, Veale, Vickers, Ward, Wakefield, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. Bateman, Cummings, Henshaw, Hungerford, Nugent, Peck, Titus and Weaver.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Bowers, Brenner, Brinkman, Childs, Cochrane, Cooper, Curtain, Davis, Eldridge, Funston, Green, Hodges, Hutchinson, Kahler, Kalloch, Langdon, Larkin, Lantor, Lowe, Mapes, McLean, Morrison, Motz, Ross, Scofield, Sellers, Sexton, Simpson, Smith, Spaulding, Tough and Turner.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

House Bill No. 389, An act making appropriations for expenses for investigation in the Pomeroy and Webb causes,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result

Yeas, 61; nays, 4.

The following gentlemen voted in the affirmative

Messrs. Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowron, Brenner, Childs, Cochrane, Cooper, Crew, Cross, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Guffy, Harvey, Henshaw, Hoes-

man, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Larkin, Legere, Lowe, Mapes, McDermott, McLean, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Smith, Snyder, Titus, Veale, Vickers, Ward, Wakefield and Wells.

Gentlemen voting in the negative were :

Messrs. Brown, Frazier, Stratton and Willets.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Bond, Bowers, Brinkman, Buchan, Cummings, Eldridge, Green, Harper, Hodges, Hutchinson, Jeffrey, Kahler, Kalloch, Langdon, Lane, Lanter, Lowrey, McDonald, J. W. Miller, Morrison, Ross, Scofield, Sexton, Simpson, Spaulding, Tough, Turner, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 387, An act making appropriations for miscellaneous expenses.

Mr. Ward offered the following protest :

I protest against the right of any and all of the following named gentlemen voting on House Bill No. 387 on the ground that House Resolution No. 29 prohibits them from so voting, and I desire this protest placed on the Journal :

Messrs. David Adams, Bacon, Bell, Bishop, Bowron, Buchan, Childs, Crew, Curtain, Davis, DeForrest, Eldridge, Fields, Gillespie, Harvey, Henshaw, J. M. Hunter, James, Jeffrey, Kalloch, Lanter, Legere, McLean, Morgan, Motz,

Reasoner, Searcy, Simpson, Snyder, Spaulding, Titus, Vickers and Weaver.

J. F. WARD.

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 34; nays, 39.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Banta, Beaty, Bell, Bowron, Childs, Cross, Curtain, Davis, DeForrest, Fields, Gregg, Harper, Hodges, Hoceman, Hutchings, W. J. Hunter, James, Legere, Mapes, McDermott, Morgan, Motz, Nugent, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Smith, Snyder, Titus, Wakefield and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Allen, Baker, Bateman, Blakely, Brenner, Brown, Cochrane, Cooper, Crew, Cummings, Dillard, Ensign, Frazier, Funston, Gillespie, Green, Guffy, Harvey, Henshaw, Hungerford, Huntington, Jeffrey, Kahler, Lane, Larkin, Lanter, Lowrey, Lowe, McDonald, McLean, J. W. Miller, G. M. Miller, Peck, Shoemaker, Simpson, Stratton, Veale, Vickers and Weaver.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Bond, Bowers, Brinkman, Buchan, Eldridge, Forsee, Hutchinson, J. M. Hunter, Kalloch, Langdon, Morrison, O'Driscoll, Ross, Scofield, Sexton, Spaulding, Tough, Turner, Ward, Wells and Willets.

And so a constitutional majority not having voted in favor of the passage of the bill,

The bill was lost.

Mr. Veale moved to reconsider the vote by which the bill was lost.

Which motion prevailed.

Mr. Titus moved to reconsider the vote by which this bill was agreed to from the Committee of the Whole.

Which motion prevailed.

Mr. Veale moved that the House now go into Committee of the Whole for the consideration of

House Bill No. 387.

Which motion prevailed.

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COMMITTEE OF THE WHOLE.

The House whereupon resolved itself into Committee of the Whole.

Mr. Lanter in the Chair.

After some time spent in debate therein the Committee arose, and through its Chairman made the following report :

MR. SPEAKER: The Committee of the Whole House have had under consideration

House Bill No. 387, An act making appropriations for miscellaneous expenses,

And they instruct me to report progress and ask leave to sit again.

LANTER,  
*Chairman.*

Mr. Hutchings moved that the report of the Committee be disagreed to, and that the bill be put upon its third reading now.

Which motion was lost.

By consent,

Mr. Fields offered a minority report from the Committee on Congressional Apportionment:

MR. SPEAKER: We, the undersigned members of the Committee on Congressional Apportionment, have the honor to submit the following minority report with the accompanying diagram with the districts noted thereon:

The counties of Wyandotte, Leavenworth, Atchison, Doniphan, Brown, Jefferson, Jackson, Pottawatomie, Nemaha, Marshall, Riley, Clay, Washington, Republic, Cloud, Ottawa, Lincoln, Mitchell, Jewell, Smith, Osborn, Rooks, Phillips, Graham, Norton, and all the remaining counties to the western boundary of the State, lying directly west of the counties of Graham and Norton, shall compose the first congressional district.

The counties of Johnson, Douglas, Shawnee, Osage, Franklin, Miami, Linn, Anderson, Coffey, Woodson, Allen, Bourbon, Crawford, Neosho, Wilson, Montgomery, Labette and Cherokee, shall compose the second congressional district.

All the remaining counties of the State shall compose the third congressional district.

We are of opinion that the report of the Committee does great injustice to a large majority of the people of the State, and believing that this report will be acceptable to a majority of the people, we therefore dissented from a majority of the Committee.

All of which is respectfully submitted.

H. C. FIELDS,  
J. S. CREW.

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Mr. Jeffrey, Chairman of the Committee on Engrossed Bills, made the following report:

MR. SPEAKER: The Committee on Engrossed Bills, to whom was referred

House Bill No. 39,

Have had the same under consideration, and instruct me to report the bill back to the House correctly engrossed.

WM. JEFFREY,  
*Chairman.*

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On motion,

The House adjourned until 7½ o'clock this P. M.

A. R. BANKS,  
*Chief Clerk.*

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EVENING SESSION.

7½ O'CLOCK P. M.

House called to order.

Speaker *pro tem.* in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Childs, Cochrane, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Green, Guffy, Harper, Harvey, Hodges, Hoelman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter,

James, Jeffrey, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plumer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Quorum present.

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REPORTS OF STANDING COMMITTEES.

The Committee on Corporations, through their Chairman *pro tem*, made the the following reports:

MR. SPEAKER: The Committee on Corporations, to whom was referred

Senate Bill No. 53, An act for the protection of prairies from incursion by fire,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

S. R. SHOEMAKER,

*Chairman.*

MR. SPEAKER: The Committee on Corporations, to whom was received

Senate Bill No. 130, An act to authorize the townships of Belle Plaine, Palestine, Oxford and Walton, in the county of Sumner, to vote bonds in aid of railroads,

Have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be rejected.

S. R. SHOEMAKER,

*Chairman.*

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER:** The Committee on Enrolled Bills have examined

House Bill No. 189, An act entitled an act to vacate the public park in the town of Douglas, Butler county,

House Bill No. 270, An act for the relief of tax payers of school district No. 9, Ottawa county, State of Kansas,

House Bill No. 136, An act to vacate the town of Ashland, Davis county,

House Bill No. 289, An act making appropriations for certain persons therein named,

House Bill No. 316, An act for the relief of Mission Township, in Neosho county,

House Bill No. 140, An act to vacate a portion of the town of Cherokee, in Crawford county, and Pawnee and Oldham's addition to the town of Osage, in Bourbon county, Kansas,

House Bill No. 388, An act making appropriations for additional legislative expenses for the fiscal year ending November 30, 1873,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

**WM. J. BLAKELY,**

*Chairman.*

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**MESSAGES FROM THE SENATE.**

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has passed

House Bill No. 324, An act making appropriations for the executive and judiciary departments of the State.

**GEO. C. CROWTHER,**

*Secretary.*



On motion of Mr. Cochrane,

The Senate message was taken up, and

Mr. Snyder moved to non-concur in Senate amendments to House Bill No. 324.

Which motion prevailed.

MR. SPEAKER: I am directed to inform your honorable body that the Senate upon reconsideration has passed

House Bill No. 306, An act to authorize the survey of township 21 south, of range 1 east,

And has passed

House Bill No. 386, An act making appropriations for the Leavenworth State Normal School for the fiscal year ending November 30, 1873,

House Bill No. 344, An act making appropriations for current expenses of the State Normal School at Emporia for the fiscal year ending November 30, 1873,

House Bill No. 361, An act making appropriations for the support of the normal department of the Freedmen's University at Quindaro, Kansas,

House Bill No. 358, An act making appropriation for the annual expenses of the State Asylum for the Insane, for the fiscal year ending November 30, 1873,

House Bill No. 364, An act making appropriations for the State Penitentiary for the year ending November 30 1873,

With amendments thereon noted.

GEO. C. CROWTHER,

*Secretary.*

Mr. Fields moved that the House concur in Senate amendment to House Bill No. 386,

The roll was called with the following result:

Yeas, 62; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brown, Buchan, Childs, Cochran, Cooper, Crew, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Guffy, Harper, Harvey, Hoesman, Hungerford, Huntington, W. J. Hunter, James, Jeffrey, Lane, Larkin, Lanter, Lowre, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peek, Plummer, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Veale, Vickers, Wakefield and Wells.

Gentlemen voting in the negative were :

Messrs. David Adams, Banta, Cross, Cummings, Frazier, Green, Hodges, Hutchings, Legere, Lowe, Motz, Reasoner, Robinson, Titus and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bond, Brinkman, Curtain, Eldridge, Gregg, Henshaw, Hutchinson, J. M. Hunter, Kahler, Kalloch, Langdon, Morrison, Ross, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Ward, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative.

The Senate amendments were concurred in.

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On motion,

The House refused to concur in Senate amendments to House Bills Nos. 344 and 324.

Mr. Baker moved to reconsider the vote by which the House concurred in Senate amendments to House Bill No. 366.

Which motion prevailed.

On motion to non-concur in Senate amendments to House Bill 386.

The motion prevailed, and

The House refused to concur.

Mr. Hutchings moved to concur in Senate amendments to House Bill No. 341.

Mr. Harvey moved to amend by saying the House non-concur.

Which motion prevailed.

On motion of Mr. Titus that the House concur in first amendment and non-concur in second amendment to House Bill 358,

The yeas and nays were had with the following result :

Yeas, 57 ; nays, 18.

The following gentlemen voted in the affirmative :

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowron, Brenner, Brown, Buchan, Childe, Cooper, Crew, Cross, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Lanter, Lowrey, McDonald, J. W. Miller, Morgan, Nugent, Plummer, Robinson, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Veale, Vickers and Wakefield.

Gentleman voting in the negative were :

Messrs. David Adams, Hutchings, Jeffrey, Legere, Lowe, Mapes, McDermott, McLean, G. M. Miller, Motz, O'Driscoll, Reasoner, Searcy, Shoemaker, Titus, Ward, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bond, Bowers, Brinkman, Cochrane, Curtain, Eldridge, Gregg, Hutchinson, Kahler, Kalloch, Langdon, Morrison, Peck, Ross, Scofield, Sexton, Spaulding, Tough, Turner, Weaver and Mr. Speaker Kellogg.

And so a majority having voted in the affirmative,  
The House concurred in first Senate amendments and  
non-concurred in second Senate amendment.

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## MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of  
Representatives that the Senate has adopted

Senate Concurrent Resolution No. 44, Relating to certain  
bribe money,

In which your immediate action is respectfully desired.

GEO. C. CROWTHER,

*Secretary.*

On motion of Mr. Hutchings,

The resolution was laid upon the table.

On motion,

The House refused to concur in Senate amendments to  
House Bill No. 364.

On motion to concur in Senate amendments to

House Bill No. 290, An act to remove disabilities from  
certain persons therein named,

The roll was called with the following result:

Yeas, 67; nays, 3.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Bell, Bishop, Blakely, Bowers,  
Brenern, Brown, Buchan, Childs, Cochran, Cooper, Crew,  
Cummings, Davis, DeForrest, Dillard, Fields, Forsee, Frazier,  
Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges,  
Hoesman, Hungerford, Hutchings, J. M. Hunter, W. J. Hunter,  
James, Jeffrey, Lane, Larkin, Lanter, Legere, Lowrey, Lowe,  
McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan,

Motz, Nugent, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Veale, Ward, Wakefield, Wells and Willets.

Gentlemen voting in the negative were :

Messrs. David Adams, Ensign and Weaver.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Beaty, Bateman, Belden, Billings, Bond, Bowron, Brinkman, Cross, Curtain, Eldridge, Gregg, Green, Hutchinson, Huntington, Kahler, Kalloch, Langdon, Mapes, McLean, Morrison, O'Driscoll, Peck, Ross, Scofield, Sexton, Shoemaker, Spaulding, Tough, Turner, Vickers and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The House concurred in the Senate amendments.

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House Bill No. 249, An act to provide for the sinking of a drill at the Kansas State Penitentiary to determine the presence of coal or other mineral, and to secure an artesian well,

Was taken up, and

Mr. Cochrane moved that the House concur in Senate amendment.

The roll was called with the following result:

Yeas, 62; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Beaty, Bell, Bishop, Blakely, Brown, Childs, Cochrane, Cooper, Crew, Curtain, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, W. J. Hunter, James, Jeffrey,

Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, G. M. Miller, J. W. Miller, Morgan, Motz, Nugent, O'Driscoll, Searcy, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Wells and Willets.

Gentlemen voting in the negative were:

Messrs. DeForrest and J. M. Hunter.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bateman, Relden, Billings, Bond, Bowors, Bowron, Brenner, Brinkman, Buchan, Cross, Cummings, Davis, Eldridge, Frazier, Gregg, Hutchinson, Kalloch, Kahler, Langdon, Lanter, Morrison, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Sexton, Shoemaker, Spaulding, Tough, Turner, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The Senate amendments were concurred in.

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On motion to concur in Senate amendments to

House Bill No. 368, An act authorizing a city of the third class to vote bonds for the purpose herein named,

The roll was called with the following result:

Yeas, 63; nays, 1.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Beaty, Banta, Bell, Bishop, Blakely, Bowron, Brenner, Brown, Childs, Cochrane, Cooper, Dillard, Ensign, Fields, Funston, Gillespie, Green, Guffy, Harper, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes,

McDermott, McDonald, McLean, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Searcy, Sellers, Shaw, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Wells and Willets.

Mr. DeForrest voted in the negative.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Belden, Billings, Bond, Bowers, Brinkman, Buchan, Crew, Cross, Cummings, Curtain, Davis, Eldridge, Forsee, Frazier, [Gregg, Hodges, Hutchinson, Kalloch, Kahler, Langdon, J. W. Miller, Morrison, Plummer, Reasoner, Robinson, Ross, Scofield, Sexton, Shoemaker, Snyder, Spaulding, Tough, Turner, Weaver and Mr. Speaker Kellogg.

And a majority having voted in the affirmative,

The Senate amendments were concurred in.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 335, An act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the sale of school lands, approved March 2, 1871,

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 388, An act making appropriations for Legislative expenses.

House Bill No. 120, An act to legalize the official acts of the city of De Soto, a city of the third class in Johnson county, Kansas.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has concurred in House amendments to

Senate Bill No. 139, An act to vacate certain lots, blocks, streets and alleys in towns herein named, and part of the town site of Lanesfield, in Johnson county, Kansas,

Senate Bill No. 61, For the relief of John B. Scott.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the report of the Committee of Conference on

House Bill No. 39, An act relating to cities of the second class.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 298, An act to authorize school districts to remove school houses from settlers' claims or condemn an acre or more of land in certain cases,

House Bill No. 290, An act to remove disabilities from certain persons therein named,

With amendments thereon noted.

House Bill No. 349, An act to authorize Rice county to issue bonds for the development of coal,

With amendments thereon noted.

House Bill No. 374, An act to provide for issuing the bonds of Parker township, Morris county, Kansas,



House Bill No. 341, An act to amend an act entitled an act to regulate salvage, approved February 23, 1869,

Senate Bill No. 163, An act in relation to the extension of the corporate limits of cities and towns,

House Bill No. 156, An act for the relief of E. R. Jones, W. J. Hobson, Wm. H. Hastings and Wm. H. Knapp in the purchase of school lands therein named.

And has passed with amendments

House Bill No. 368, An act authorizing a city of the third class to vote bonds for the purpose herein named.

GEO. C. CROWTHER,  
*Secretary.*

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MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, March 4, 1873. }

*To the House of Representatives:*

In compliance with House Resolution, I herewith return

House Bill No. 177 for further consideration.

THOMAS A. OSBORN,  
*Governor.*

By consent,

Mr. Harvey called up

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness.

And moved to amend by striking out section six of the bill.

Which motion prevailed.

## COMMITTEE OF THE WHOLE.

On motion of J. W. Miller,

The House went into Committee of the Whole on unfinished business, being the consideration of

House Bill No. 387.

Mr. Lanter in the Chair.

After some time spent in debate therein the Committee arose, and through their Chairman made the following report:

MR. SPEAKER: Your Committee of the Whole House have had under consideration:

House Bill No. 387, An act making appropriations for miscellaneous expenses,

And the Committee recommend that it be passed with amendments.

LANTER,

*Chairman.*

Mr. Buchan moved to accept that part of the report pertaining to the two thousand dollar appropriation to the settlers on the Osage Indian lands.

Mr. Legere moved to amend by adopting the report of the Committee.

The roll was called with the following result:

Yeas, 37; nays, 12.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Banta, Blakely, Brenner, DeForest, Fields, Forsee, Frazier, Green, Harper, Harvey, Hodges, Hutchings, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, G. M. Miller, J. W. Miller, Morgan, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Smith, Titus, Veale, Ward and Wakefield.

Gentlemen voting in the negative were:

Messrs. Baker, Bishop, Brown, Cochrane, Crew, Ensign, Gillespie, Guffy, McDonald, Peck and Stratton.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Bateman, Beaty, Belden, Bell, Billings, Bond, Bowers, Bowron, Brinkman, Buchan, Childs, Cooper, Cross, Cummings, Curtain, Davis, Dillard, Eldridge, Funston, Gregg, Henshaw, Hoesman, Hungerford, Hutchinson, Huntington, James, Kahler, Kalloch, Langdon, Lanter, McLean, Morrison, Motz, Nugent, O'Driscoll, Ross, Scofield, Sexton, Shoemaker, Simpson, Snyder, Spaulding, Tough, Turner, Vickers, Weaver, Wells, Willets, and Mr. Speaker Kellogg.

And so a majority having voted in the affirmative,  
The report of the Committee was adopted.

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On motion

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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MORNING SESSION.

WEDNESDAY, MARCH 5, 1873, 9 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. Allen, Baker, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Childs, Cochrane, Cooper, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, Lane, Larkin, Lanter, Lowrey, Lowe, McDonald, G. M. Miller, J. W. Miller, Morgan, O'Driscoll, Peck, Plummer, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by Rev. Mr. Mitchell

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate adheres to its amendments to

House Bills Nos. 358, 344, 386, 361 and 364.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate adheres to its amendments to

House Bill No. 324, An act making appropriations for the executive and judiciary departments of the State.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 241, An act to establish a State road,  
And has concurred in House amendment to  
Senate Concurrent Resolution No. 43, In relation to adjournment *sine die*.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 315, An act for the relief of the board of education of the city of Independence.

House Bill No. 197, An act to authorize the township of Wellington, in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner,

With two amendments.

GEO. C. CROWTHER,

*Secretary.*

By consent,

A Committee of Conference was appointed on

House Bill No. 358, An act making appropriation for the annual expenses of the State Asylum for the Insane, for the fiscal year ending November 30, 1873,

House Bill No. 344, An act making appropriations for current expenses of the State Normal School at Emporia for the fiscal year ending November 30, 1873,

House Bill No. 386, An act making appropriations for the Leavenworth State Normal School for the fiscal year ending November 30, 1873,

House Bill No. 361, An act making appropriations for the support of the normal department of the Freedmen's University at Quindaro, Kansas,

House Bill No. 364, An act making appropriations for the State Penitentiary for the year ending November 30, 1873,

And

House Bill No. 324, An act making appropriations for the executive and judiciary departments of the State.

Messrs. Bateman, Cochrane, Cross, Fields and Snyder were appointed on the part of House.

The messages from the Senate were then taken up, and On motion to concur in Senate amendments to

House Bill No. 241.

The yeas and nays were had with the following result :

Yeas, 57; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. Baker, Banta, Bell, Bishop, Blakely, Bowers, Brenner, Brown, Childe, Cochrane, Cooper, Crew, Cummings, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, Jeffrey, James, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, McDonald, G. M. Miller, J. W. Miller, Morgan, O'Driscoll, Peck, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Snyder, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Bateman, Beaty, Belden, Billings, Bond, Bowron, Brinkman, Buchan, Cross, Curtain, Eldridge, Green, Guffy, Hutchings, Hutchinson, W. J. Hunter, Kahler, Kalloch, Langdon, Mapes, McDermott, McLean, Morrison, Motz, Nugent, Plummer, Reasoner, Ross, Scofield, Sexton, Smith Spaulding, Stratton, Titus Tough, Turner, Veale and Mr. Speaker Kellogg.

And so a majority having voted in the affirmative,

The House concurred.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 187, An act to legalize the issue of certain school bonds issued by a vote of the people in school district No. 16, Douglas county.

House Bill No. 83, An act to define the boundaries of the 12th judicial district and to regulate the terms of court therein.

House Bill No. 88, An act authorizing the county treasurer of Ellsworth county to transfer certain funds.

House Bill No. 338, An act to amend an act entitled an act to incorporate the city of Eudora.

House Bill No. 203, An act to authorize the county commissioners of Russell county to issue the bonds of said county for the purpose of liquidating the county indebtedness and other purposes,

With amendments thereon noted.

House Bill No. 346, An act to legalize the actions of the Town Company of Howard City, in the county of Howard.

House Bill No. 323, An act to vacate certain streets and alleys in the city of Leocompton,

With amendments thereon noted.

House Bill No. 402, An act to legalize certain roads and highways in the county of Bourbon,

With amendments thereon noted.

House Bill No. 276, An act providing for a change of name of Carrie E. L. Engle.

Senate Bill No. 157, An act authorizing the township of Grasshoper Falls to issue bonds for the encouragement of manufactures.

House Bill No. 184, An act to vacate State roads in Atchison county.

GEO. C. CROWTHER,

*Secretary.*

On motion to concur in Senate amendments to

House Bill No. 197,

The roll was called with the following result :

Yeas, 58 ; nays, 0.

The following gentlemen voted in the affirmative :

Messrs. Allen, Beaty, Bishop, Blakely, Bowers, Brenner, Brown, Cochrane, Cooper, Crew, Cross, Curtain, Davis, De-Forrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, McDonald, J. W. Miller, G. M. Miller, Morgan, O'Driscoll, Peck, Plummer, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Stratton, Vickers Ward, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Baker, Banta, Bateman, Belden, Bell, Billings, Bond, Bowron, Brinkman, Buchan, Childs, Cummings, Eldridge, Ensigr, Green, Hutchings, Hutchinson, James, Kahler, Kalloch, Langdon, Mapes, McDermott, McLean, Morrison, Motz, Nugent, Reasoner, Ross, Scofield, Sexton, Smith, Snyder, Spaulding, Titus, Tough, Turner, Veale and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The House concurred in the Senate amendments.

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On motion to concur in Senate amendments to

House Bill No. 203,

The roll was called with the following result :

Yeas, 57 ; nays, 0.

Gentlemen voting in the affirmative were :

Messrs. Allen, Banta, Beaty, Boll, Bishop, Blakely,



Bowers, Brown, Childs, Cochrane, Cooper, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, J. M. Hunter, W. J. Hunter, James, Jeffrey, Larkin, Lanter, Legere, Lowrey, Lowe, McDonald, J. W. Miller, G. M. Miller, Morgan, O'Driscoll, Peck, Plummer, Robinson, Searcy, Sellers, Shoemaker, Simpson, Smith, Snyder, Stratton, Ward, Wakefield, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Baker, Bateman, Belden, Billings, Bond, Bowron, Brenner, Brinkman, Buchan, Crew, Cross, Cummings, Eldridge, Henshaw, Hutchings, Hutchinson, Huntington, Kahler, Kalloch, Lane, Langdon, Mapes, McDermott, McLean, Morrison, Motz, Nugent, Reasoner, Ross, Scofield, Sexton, Shaw, Spaulding, Titus, Tough, Turner, Veale, Vickers, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The Senate amendments were concurred in.

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On motion to concur in Senate amendments to  
House Bill No. 323,

The roll was called with the following result :

Yeas, 63; nays, 0.

Gentlemen voting in the affirmative were :

Messrs. Allen, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Brown, Childs, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDonald, McLean, G. M. Miller, J. W. Miller, Morgan,

O'Driscoll, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Baker, Bateman, Belden, Billings, Bond, Bowron, Brenner, Brinkman, Buchan, Cochrane, Cross, Eldridge, Guffy, Harper, Hutchings, Hutchinson, Kahler, Kalloch, Langdon, McDermott, Morrison, Motz, Nugent, Peck, Ross, Scofield, Sexton, Spaulding, Stratton, Tough, Turner, Vickers, Ward and Mr. Speaker Kellogg.

On motion to concur in Senate amendments to  
House Bill No. 402.

The roll was called with the following result :

Yeas, 59 ; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bishop, Blakely, Bowers, Bowron, Brown, Cochrane, Cooper, Crew, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, James, Jeffrey, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McLean, G. M. Miller, J. W. Miller, Morgan, O'Driscoll, Reasoner, Robinson, Searcy, Shaw, Simpson, Smith, Snyder, Veal, Vickers, Ward, Wakefield, Weaver, Wells. and Willets.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Belden, Bell, Billings, Bond, Brenner, Brinkman, Buchan, Childs, Cross, Cummings, Curtain, Eldridge, Ensign, Green, Hutchings, Hutchinson, W. J. Hunter, Kahler, Kalloch, Langdon, McDermott, McDonald, Morrison, Motz, Nugent, Peck, Plummer, Ross, Scofield, Sellers, Sexton, Shoemaker, Spaulding, Stratton, Titus, Tough, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative.

The Senate amendments were concurred in.

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: The Committee on Enrolled Bills have examined

Substitute for House Bill No. 234, An act supplemental to an act to provide for the auditing of settlement and assumption of the Price Raid Claims of 1864, and Indian expedition under Major General Curtis, in July and August 1864, approved February 17, 1868,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

By consent,

Mr. Fields introduced

House Bill No. 107, An act to apportion and district the State for Congressmen.

Which was read the first and second times and put upon its third reading.

By consent,

Mr. McDonald introduced

House Bill No. 408, An act to apportion the State into districts for Representatives in the Congress of the United State.

Which was read the first and second times and put upon its third reading

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MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, March 3, 1873. }

*the House of Representatives :*

I have approved

House Bill No. 36, An act to create the fifteenth judicial district and to provide for a judge thereof and for holding the terms of court therein.

House Bill No. 108, An act amendatory of section 5 of chapter 24 of the General Statutes.

House Bill No. 383, An act to authorize Kansas City, Kansas, to make certain improvements therein named.

House Bill No. 25, An act to declare certain section lines public highways.

House Bill No. 245, An act providing for certain improvements in Leavenworth county.

House Bill No. 163, An act to define the boundaries of the ninth judicial district, and to fix the terms of court in the several counties thereof.

House Bill No. 136, An act to vacate the town of Ashland, Davis county.

Senate Bill No. 154, An act relating to State roads in the counties of Bourbon, Neosho and Wilson.

House Bill No. 189, An act entitled an act to vacate the public park in the town of Douglas, Butler county.

House Bill No. 316, An act for the relief of Mission Township, in Neosho county.

House Bill No. 270, An act for the relief of tax payers of school district No. 9, Ottawa county, State of Kansas.

House Bill No. 140, An act to vacate a portion of the town of Cherokee, in Crawford county, and Pawnee and Oldham's addition to the town of Osage, in Bourbon county, Kansas.

House Bill No. 289, An act making appropriations for certain persons therein named.

Substitute for House Bill No. 234, An act supplemental to an act to provide for the auditing of, settlement and assumption of the Price Raid Claims of 1864, and Indian expedition under Major General Curtis in July and August, 1864, approved February 17, 1869.

THOMAS A. OSBORN,  
*Governor.*

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STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, March 4, 1873. }

*To the House of Representatives :*

I have approved

House Bill No. 209, An act to enable the county commissioners of Rice county to issue bonds to pay their indebtedness.

House Bill No. 200, An act to change the name of a certain road.

House Bill No. 35, An act to legalize the official acts of a township assessor and deputy assessor.

House Bill No. 87, An act to establish a State road through the counties of Rice, Ellsworth, Lincoln, Mitchell and Jewell.

House Bill No. 79, An act to amend section 13 of chapter 25 of the General Statutes of 1868, relating to meeting of county boards.

House Bill No. 242, An act authorizing an enumeration of persons of school age in Jewell county, Kansas.

House Bill No. 172, An act to regulate the terms of court in the eighth judicial district.

House Bill No. 77, An act to amend certain chapters of the General Statutes.

House Bill No. 7, An act to regulate taxation on the change of boundary lines.

House Bill No. 12, An act extending the boundary lines of the city of Columbus, in the county of Cherokee, and defining the same.

House Joint Resolution No. 7, Appropriating two thousand dollars to defray the expenses of receiving and entertaining the Nebraska Legislature.

THOMAS A. OSBORN,  
*Governor.*

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BILLS ON THIRD READING.

House Bill No. 387, An act making appropriations for miscellaneous expenses,

Was read the third time.

And the question being: Shall the bill pass?

A call of the House was demanded, and on a call of the roll Mr. Ross was found absent without leave.

Whereupon the Sergeant-at-Arms was ordered to bring Mr. Ross before the bar of this House to show cause why he is continually absent without leave.

The question recurring on the passage of the bill,

The roll was called with the following result:

Yeas, 63; nays, 15.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Bell, Blakely, Bowers, Bowron, Brenner, Childs, Cooper, Crew, Cross, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Lane, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, G. M. Miller, J. W. Miller, Morgan, Motz, O'Driscoll, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Simpson, Smith, Snyder, Titus, Veale, Vickers and Wakefield.

Gentlemen voting in the negative were :

Messrs. Bishop, Brown, Cochrane, Ensign, Hungerford, Jeffrey, Lowe, Nugent, Peck, Shoemaker, Stratton, Ward, Weaver, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Belden, Billings, Bond, Brinkman, Buchan, Cummings, Eldridge, Hutchinson, Kahler, Kalloch, Langdon, Morrison, Ross, Scofield, Sexton, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted in avor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. J. M. Miller moved to reconsider the vote by which the House concurred in Senate amendments to

House Bill No. 203.

Which motion was lost.

House Bill No. 403, An act to amend section 36 of an act incorporating cities of the second class,

Was read the third time, and

Mr. Fields moved to amend.

Which motion prevailed.

The question being upon the final passage of the bill?

The roll was called with the following result :

Yeas, 51 ; nays, 24.

The following gentlemen voted in the affirmative :

Messrs. Allen, Baker, Bateman, Beaty, Bell, Bowron, Brenner, Brown, Childs, Cochrane, Cooper, Crew, Curtain

Dillard, Ensign, Fields, Frazier, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, W. J. Hunter, James, Jeffrey, Lane, Larkin, Lanter, Lowe, McDonald, McLean, G. M. Miller, J. W. Miller, Nugent, O'Driscoll, Plummer, Reasoner, Robinson, Searoy, Shaw, Smith, Titus, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were :

Messrs. David Adams, Banta, Bishop, Blakely, Crose, Cummings, Davis, DeForrest, Forsee, Funston, Gregg, Green, Hoesman, Huntington, J. M. Hunter, Legere, Lowrey, Morgan, Motz, Peck, Simpson, Snyder, Stratton and Veale.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Bond, Brinkman, Buchan, Bowers, Billings, Eldridge, Hutchings, Hutchinson, Kahler, Kalloch, Langdon, Mapes, McDermott, Morrison, Ross, Scofield, Sellers, Sexton, Shoemaker, Spaulding, Tough and Turner.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate accedes to the request of the House for a Committee of Conference on House Bills Nos. 364, 358, 361, 344 and 386.

Committee on the part of the Senate:

Messrs. Butler, St. John and Moonlight.

GEO. C. CROWTHER,

*Secretary.*



House Bill No. 367, An act to amend section 3 of chapter 88 of the laws of 1870,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result

Yeas, 52; nays, 0.

The following gentlemen voted in the affirmative

Messrs. David Adams, Allen, Baker, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cooper, Cummings, Davis, DeForrest, Dillard, Ensign, Frazier, Funston, Gillospie, Gregg, Green, Guffy, Harper, Hodges, W. J. Hunter, James, Jeffrey, Larkin, Legere, Lowrey, Lowe, McDonald, McLean, G. M. Miller, J. W. Miller, Motz, Nugent, O'Driscoll, Robinson, Searcy, Simpson, Smith, Stratton, Titus, Vickers, Wakefield, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Bateman, Belden, Billings, Bond, Brenner, Brinkman, Cochrane, Crew, Cross, Curtain, Eldridge, Fields, Forsee, Harvey, Henshaw, Hoesman, Hungerford, Hutchings, Hutchinson, Huntington, J. M. Hunter, Kahler, Kalloch, Lane, Langdon, Lanter, Mapes, McDermott, Morgan, Morrison, Peck, Plummer, Reasoner, Ross, Scofield, Sellers, Sexton, Shaw, Shoemaker, Snyder, Spaulding, Tough, Turner, Veale, Ward, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 405, An act to amend section 36 of an act incorporating cities of the second class,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 59; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Beaty, Bell, Bishop, Blakely, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard Ensign, Forsee, Frazier, Funston, Gregg, Green, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, G. M. Miller, J. W. Miller, Motz, O'Driscoll, Peck, Robinson, Searcy, Sellers, Smith, Stratton, Vickers, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Banta, Bateman, Belden, Billings, Bond, Bowers, Bowron, Brinkman, Cross, Eldridge, Fields, Gillespie, Henshaw, Hutchings, Hutchinson, Kahler, Kalloch, Lane, Langdon, Lanter, Mapes, Morgan, Morrison, Nugent, Plummer, Reasoner, Ross, Scofield, Sexton, Shaw, Shoemaker, Simpson, Snyder, Spaulding, Titus, Tough, Turner, Veale, Ward and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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House Bill No. 348, An act relating to the revision of the school laws of the State of Kansas,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 14; nays, 33.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Blakely, Brenner, Childs, Crew, Guffy, Harper, Harvey, G. M. Miller, Motz, Robinson and Titus.

Gentlemen voting in the negative were:

Messrs. Brown, Buchan, Cooper, Cummings, DeForrest, Dillard, Ensign, Forsee, Frazier, Funston, Gillespie, Gregg, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Larkin, Legere, Lowrey, Lowe, McDonald, Morgan, Nugent, O'Driscoll, Peck, Searcy, Vickers, Wakefield, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Bateman Beaty, Belden, Bell, Billings, Bishop, Bond, Bowers, Bowron, Brinkman, Cochrane, Cross Curtain, Davis, Eldridge, Fields, Green, Hutchings, Hutchinson, James, Kahler, Kalloch, Lane, Langdon, Lanter, Mapes, McDermott, McLean, J. W. Miller, Morrison, Plummer, Reasoner, Ross, Scofield, Sellers, Sexton, Shaw, Shoemaker, Simpson, Smith, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Ward, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 31, To vacate town sites and additions thereto.

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 54; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Beaty, Bell, Blakely, Brenner, Brown, Childs, Cooper, Crew, Cummings, Curtain, DeForrest, Dillard, Ensign, Forsee, Funston, Gillespie, Gregg, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, W. J. Hunter, J. M. Hunter, James, Jeffrey, Larkin, Legere, Lowrey, Lowe, McDonald, McLean, G. M. Miller, Morgan, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Smith, Stratton, Titus, Veale, Vickers, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Bateman, Belden, Billings, Bishop, Bond, Bowers, Bowron, Brinkman, Buchan, Cochrane, Cross, Davis, Eldridge, Fields, Frazier, Green, Henshaw, Hutchings, Hutchinson, Huntington, Kahler, Kaloch, Lane, Langdon, Lanter, Mapes, McDermott, J. W. Miller, Morrison, Motz, Nugent, Ross, Scofield, Sellers, Sexton, Shaw, Shoemaker, Simpson, Snyder, Spaulding, Tough, Turner, Ward, and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof

---

Substitute for House Bill 392, An act to amend section 19 and 64, chapter 24, General Statutes, defining the boundaries of Davis and Riley counties,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Beaty, Bishop, Blakely, Bowron, Brown, Buchan, Childs, Cooper, Crew, Cummings, Davis, DeForrest, Dillard, Ensign, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Larkin, Legere, Lowrey, McDonald, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Searcy, Simpson, Smith, Stratton, Titus, Vickers, Wakefield and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Belden, Bell, Billings, Bond, Bowers, Brenner, Brinkman, Cochrane, Cross, Curtain, Eldridge, Fields, Frazier, Harvey, Hoesman, Hutchings, Hutchinson, Kalloch, Kahler, Lane, Langdon, Lanter, Lowe, Mapes, McDermott, McLean, G. M. Miller, J. W. Miller, Morrison, Robinson, Ross, Scofield, Sellers, Sexton, Shaw, Shoemaker, Snyder, Spaulding, Tough, Turner Veale, Ward, Weaver, Wells and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

On motion of Mr. Buchan,

Senate Bill No. 154, An act in relation to a State road in the counties of Bourbon, Neesho and Wilson,

Was stricken from the Calendar.

On motion of Mr. Buchan,

The House resolved itself into Committee of the Whole on General Orders.

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COMMITTEE OF THE WHOLE.

Mr. Titus in the Chair.

After some time spent in debate therein the Committee arose, and through its Chairman made the following report :

MR. SPEAKER: The Committee of the Whole House have had under consideration

House Bill No. 362, An act to provide revenue for the years 1873 and 1874,

And recommend its passage.

Senate Bill No. 153, An act for the protection of prairie from incursions by fire,

And recommend its passage.

Senate Bill No. 82, An act to amend an act entitled an act to regulate crimes and punishments,

And recommend its passage.

Senate Bill No. 112, An act to authorize the incorporation and establishment of loan and trust companies,

And recommend that it be stricken from the Calendar.

House Bill No. 400, An act making appropriations for the State University to cover deficiency of building Committee of 1872,

Senate Bill No. 84, To expedite the collection of costs in justices' court.

And recommend their rejection.

C. H. TITUS,  
Chairman:

Mr. Brker moved to except House Bill No. 400 from the report of the Committee of the Whole House.

Which motion was lost.

The report of the Committee was agreed to.

On motion

The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Bell, Bishop, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Cochrane, Crew, Cummings, DeForrest, Dillard, Ensign, Forsee, Frazier, Funston, Guffy, Henshaw, Hodges, Hoesman, Hungerford, Huntington, W. J. Hunter, Jeffrey, Lane, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Robinson, Searcy, Sellers, Shaw, Simpson, Snyder, Stratton, Titus, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

## BILLS ON THIRD READING.

House Bill No. 362, An act to provide revenue for the years 1873 and 1874,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 68; nays, 0.

The following gentlemen voted in the affirmative

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Bell, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Cochrane, Crew, Cummings, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, G. M. Miller, J. W. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Robinson, Searcy, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Allen, Bacon, Belden, Billings, Bishop, Bond, Childs, Cooper, Cross, Curtain, Davis, Eldridge, Ensign, Gregg, Green, Hutchings, Hutchinson, James, Kahler, Kalloch, Langdon, Larkin, Morrison, Reasoner, Ross, Scofield, Sexton, Shoemaker, Spaulding, Tough and Turner.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Mr. Baker moved that Senate Bill No. 153, and all



other Senate Bills on the Calendar reported from the Committee of the Whole be put upon third reading now.

Which motion prevailed.

Mr. David Adams offered the following resolution :

*Resolved*, That the Governor be and is hereby requested to return House Bill No. 203, to this House.

Which was, on motion, adopted.

---

Senate Bill No. 153, An act for the protection of prairies from incursions by fire,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result

Yeas, 61 ; nays, 6.

The following gentlemen voted in the affirmative :

Messrs. Allen, Baker, Banta, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Cochrane, Crew, Cross, Cummings, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Huntington, J. M. Hunter, Jeffrey, Lane, Legere, Lowrey, Lowe, McDermott, McLean, G. M. Miller, J. W. Miller, O'Driscoll, Peck, Plummer, Robinson, Searcy, Sellers, Shaw, Simpson, Smith, Snyder, Stratton, Titus, Veale, Vickers, Wakefield, Weaver and Willets.

Gentlemen voting in the negative were :

Messrs. Bateman, Davis, Morgan, Motz, Nugent and Wells.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Belden, Billings, Bond, Buchan, Childs, Cooper, Curtain, Eldridge, Gillespie, Green, Hoesman, Hutchings, Hutchinson, W. J. Hunter, James, Kahler, Kalloch, Langdon, Larkin, Lanter,

Mapes, McDonald, Morrison, Reasoner, Ross, Scofield, Sexton, Shoemaker, Spaulding, Tough, Turner, Ward and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Mr. Baker moved that House Bill No. 397 be made the Special Order for this 7½ P. M.

Which motion was lost.

Mr. Cochrane moved to reconsider the vote by which Senate amendments to House Bill No. 402 were concurred in.

Which motion prevailed.

Mr. Cochrane moved to non-concur in Senate amendments to House Bill No. 402.

Which motion prevailed.

Mr. Titus moved that House Bill No. 254 be taken up now.

Which motion prevailed.

---

House Bill No. 254, An act providing for the registration of voters before county seat elections,

Was read the third time.

Mr. Titus moved to amend.

Which motion prevailed.

And the question being: Shall the bill pass as amended?

The roll was called with the following result:

Yeas, 65 ; nays, 7.

The following gentlemen voted in the affirmative :

Messrs. Allen, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, [Hodges, Hoesman, Hungerford, Huntington, James, Jeffrey, Lane, Langdon, Legere, Lowrey, Mapes, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Shaw, Shoemaker, Simpson, Smith, Titus, Veale, Vickers, Ward Wakefield and Wells.

Gentlemen voting in the negative were :

Messrs. David Adams, Henshaw, W. J. Hunter, Lowe, Snyder, Stratton and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bond, Brenner, Cooper, Eldridge, Ensign, Hutchings, Hutchinson, J. M. Hunter, Kahler, Kafoob, Larkin, Lanter, McDermott, Motz, Morrison, Ross, Scofield, Sellers, Sexton, Spaulding, Tough, Turner, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 144, An act supplemental to chapter 150 of the laws of 1871, relating to the collection of taxes,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 57; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Banta, Bateman, Beaty, Bell, Blakely, Brinkman, Brown, Buchan, Childs, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Henshaw, Hodges, Hoesman, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Kahler, Lane, Lowrey, Lowe, Mapes, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Shaw, Smith, Stratton, Veale, Ward, Wakefield, and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Baker, Belden, Billings, Bishop, Bond, Bowers, Bowron, Brenner, Cochrane, Cooper, Eldridge, Ensign, Harvey, Hutchings, Hungerford, Hutchinson, James, Kalloch, Langdon, Lanter, Larkin, Legere, McDermott, McDonald, McLean, Morrison, Ross, Scofield, Sellers, Sexton, Shoemaker, Simason, Snyder, Spaulding, Titus, Tough, Turner, Vickers, Weaver, Wells and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

Senate Bill No. 29, To amend section 2 of chapter 40 of the General Statutes of Kansas,

Was read the third time,

And the question being: Shall the bill pass?

The yeas and nays were had with the following result :

Yeas, 32 ; nays, 27.

Gentlemen voting in the affirmative were :

Messrs. Baker, Bell, Bishop, Bowers, Brown, Buchan, Crew, DeForrest, Dillard Fields, Forsee, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, James, Kahler, Lowrey, Lowe, Mapes, G. M. Miller, Nugent, O'Driscoll, Plummer, Searcy, Sellers, Shaw, Simpson, Wakefield and Wells.

Gentlemen voting in the negative were :

Messrs. David Adams, Allen, Beaty, Cross, Curtain, Davis, Ensign, Frazier, Funston, Green, Harvey, Huntington, J. M. Hunter, Jeffrey, Lane, Legere, McDonald, Morgan, Motz, Peck, Smith, Snyder, Stratton, Titus, Vickers, Ward and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Bateman, Blakely, Belden, Billings, Bond, Bowron, Brenner, Brinkman, Childs, Cochrane, Cooper, Cummings, Eldridge, Gillospie, Hungerford, Hutchings, Hutchinson, W. J. Hunter, Kalloch, Langdon, Lanter, Larkin, McDermott, McLean, J. W. Miller, Morrison, Robinson, Reasoner, Ross, Scofield, Sexton, Shoemaker, Spaulding, Tough, Turner, Veale, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote in favor of the passage of the bill,

The bill was lost.

---

Mr. Buchan moved to reconsider the vote by which House Bill No. 326 was placed upon its third reading.

Which motion prevailed.

The roll was called with the following result :

Yeas, 24 ; nays, 40.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Bowers, Buchan, Childs, Crew, Forsee, Gillespie, Guffy, Henshaw, Hodges, Hoesman, Kahler, Lowe, McDonald, G. M. Miller, Morgan, Motz, Nugent, Simpson, Veale and Wakefield.

Gentlemen voting in the negative were :

Messrs. Bateman, Beaty, Bell, Bishop, Brenner, Brinkman, Brown, Cochrane, Curtain, Davis, DeForrest, Frazier, Funston, Gregg, Harper, Harvey, Hungerford, Hutchings, Huntington, J. M. Hunter, James, Jeffrey, Lane, Lanter, Legere, McLean, J. W. Miller, O'Driscoll, Peck, Plummer, Searcy, Sellers, Shaw, Snyder, Stratton, Titus, Vickers, Ward, Weaver, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Banta, Belden, Billings, Blakely, Bond, Bowron, Cooper, Cross, Cummings, Dillard, Eldridge, Ensign, Fields, Green, Hutchinson, W. J. Hunter, Kalloch, Langdon, Larkin, Lowrey, Mapes, McDermott, Morrison, Ross, Reasoner, Robinson, Scofield, Sexton, Shoemaker, Smith, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

And so the motion to reconsider was lost.

---

Mr. Cochrane moved to amend.

Which motion was lost.

Mr. Buchan moved to amend.

Which motion prevailed.

Mr. Buchan moved that the enacting clause be stricken out of

House Bill No. 326.

The yeas and nays demanded, and

The roll was called with the following result:

Yeas, 26 ; nays, 42.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Banta, Blakely, Brinkman, Buchan, Crew, Curtain, Davis, Gillespie, Green, Guffy, Henshaw, Hoesman, Hungerford, Kahler, Lane, Lowe, McDonald, G. M. Miller, Morgan, Motz, Simpson, Snyder, Stratton and Veale.

Gentlemen voting in the negative were :

Messrs. Bateman, Beaty, Bell, Bishop, Brenner, Brown, Cochrane, Cummings, DeForrest, Forsee, Funston, Gregg, Harper, Harvey, Hodges, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McLean, O'Driscoll, Peck, Plummer, Reasoner, Searcy, Sellers, Shoemaker, Vickers, Ward, Wakefield, Weaver, Wells and Willots.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Bacon, Belden, Billings, Bond, Bowers, Bowron, Childs, Cooper, Cross, Dillard, Eldridge, Ensign, Fields, Frazier, Hutchinson, Kalloch, J. W. Miller, Morrison, Nugent, Robinson, Ross, Scofield, Sexton, Shaw, Smith, Spaulding, Titus, Tough, Turner and Mr. Speaker Kellogg.

So the motion was lost.

---

Mr. Baker moved that this bill be made a Special Order for 7½ o'clock this p. m.

Which motion was lost.

Mr. Harvey moved to amend.

Which motion prevailed.

The question recurring on the final passage of the bill

The roll was called with the following result :

Yeas, 37 ; nays, 38.

Gentlemen voting in the affirmative were :

Messrs. Bateman, Beaty, Bell, Bishop, Bowron, Brinkman, Brown, DeForrest, Forsee, Funston, Harper, Harvey, Henshaw, Hodges, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Langdon, Larkin, Lauter, Legere, Lowrey, Mapes, McLean, Nugent, O'Driscoll, Peck, Searcy, Sellers, Shaw, Shoemaker, Stratton, Vickers and Willets.

Gentlemen voting in the negative were:

Messrs. D. M. Adams, Allen, Baker, Banta, Blakely, Bowers, Brenner, Buchan, Cochrane, Crew, Cross, Cummings, Curtain, Davis, Dillard, Fields, Frazier, Gillespie, Gregg, Green, Guffy, Harper, Hoesman, Hungerford, Lane, Lowe, McDermott, G. M. Miller, Morgan, Motz, Plummer, Simpson, Smith, Snyder, Veale, Ward, Wakefield and Wells.

Gentlemen absent or not voting were:

Messrs. David Adams, Bacon, Belden, Billings, Bond, Childs, Cooper, Eldridge, Ensign, Hutchinson, Kahler, Kalloch, McDonald, J. W. Miller, Morrison, Reasoner, Robinson, Ross, Scofield, Sexton, Spaulding, Titus, Tough, Turner, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority not having voted in favor of the passage of the bill,

The bill was lost.

---

Mr. Legere moved a call of the House.

Which motion prevailed.

Pending the call,

Mr. Buchan offered the following resolution:

*Resolved*, That all bills except of the following nature be stricken from the Calendar:

1st. Appropriation bills.

2d. Bills reported by or in the hands of the Conference Committee.



3d. Local bills.

4th. Congressional apportionment bills.

And that no bills other than of the foregoing character be hereafter put upon final passage by this House.

Mr. Cochrane moved to lay the resolution upon the table.

Which motion prevailed.

Mr. Veale moved that

Senate Bill No. 82 and House Bill No. 308

Be taken up and read a third time.

Which motion prevailed.

Senate Bill No. 82, An act to amend an act entitled an act to regulate crimes and punishments,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 54; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Bell, Bishop, Blakely, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Crew Cross, Cummings, Curtain, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harper, Henshaw, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, Jeffrey, Larkin, Legere, Lowrey, Lowe, McDonald, G. M. Miller, J. W. Miller, Morgan, Nugent, O'Driscoll, Searcy, Sellers, Shaw, Smith, Stratton, Veale, Vickers, Wakofield, Weaver, Wells and Willets.

Mr. McDermott voted in the negative.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Banta, Bateman, Beaty, Belden, Billings, Bond, Bowers, Cooper, Davis, Eldridge, Ensign, Green, Harvey, Hutchings, Hutchin-

son, W. J. Hunter, James, Kahler, Kalloch, Lane, Langdon, Lanter, Mapes, McLean, Morrison, Motz, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Sexton, Shoemaker, Simpson, Snyder, Spaulding, Titus, Tough, Turner, Ward and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to,

Ordered that the Chief Clerk inform the Senate thereof.

---

House Bill No. 308, An act for the relief of tax payers.  
Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 54; nays, 16.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Banta, Bell, Brenner, Brinkman, Brown, Childs, Cochrane, Curtain, DeForest, Dillard, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, J. M. Hunter, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Shaw, Shoemaker, Snyder, Stratton, Titus, Vickus, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Gentlemen voting in the negative were:

Messrs. Baker, Bateman, Beaty, Bishop, Bowers, Borron, Crew, Cummings, Davis, Guffy, Hocaman, Huntington, Mapes, G. M. Miller, Smith and Veale.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Belden, Billings, Blakely, Bond, Buchan, Cooper, Cross, Eldridge, Ensign, Funston, Hutchinson, W. J. Hunter, James, Kahler, Kallough, Langdon, Lanter, Morrison, Ross, Scofield, Sellers, Sexton, Simpson, Spaulding, Tough, Turner and Ward.

Andso a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

---

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868,

With numerous amendments thereon noted.

GEO. C. CROWTHER,

*Secretary.*

Mr. Allen moved that the House concur in Senate amendments to

House Bill No. 141.

Mr. Hoesman moved to non-concur.

Which motion was lost.

The roll was called on the motion to concur with the following result:

Yeas, 57; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bateman,

Bishop, Blakely, Bowers, Bowron, Brown, Buchan, Childs, Cross, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harper, Harvey, Hodges, Hungerford, Huntington, W. J. Hunter, James, Jeffrey, Lane, Langdon, Larkin, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, G. M. Miller, J. W. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Searcy, Shaw, Shoemaker, Smith, Titus, Vickers, Wakefield Weaver Wells and Willets.

Gentlemen voting in the negative were:

Messrs. Cochrane and J. M. Hunter.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Beaty, Belden, Bell, Billings, Bond, Brenner, Brinkman, Cooper, Crew, Cummings, Curtain, Davis, Eldridge, Gregg, Green, Henshaw, Hoesman, Hutchings, Hutchinson, Kahler, Kalloch, Lanter, Lowe, Morrison, Motz, Scofield, Sellers, Sexton, Simpson, Snyder, Spaulding, Stratton, Tough, Turner, Veale, Ward and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative.

The Senate amendments were concurred in.

---

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 277, An act to amend sections 601 and 608, of chapter 80 of the General Statutes,

Without amendment.

GEO. C. CROWTHER,

*Secretary.*

On motion

The House adjourned until 7½ o'clock this p. m.

A. R. BANKS,

*Chief Clerk.*

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EVENING SESSION.

7½ O'CLOCK P. M.

House called to order.

Speaker *pro tem.* in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. Allen, Baker, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Childs, Cochrane, Crew, Cummings, Curtain, DeForrest, Dillard, Ensign, Fields, Frazier, Funston, Gillespie, Green, Guffy, Harper, Harvey, Hodges, Hungerford, Huntington, James, Jeffrey Lane, Langdon, Larkin, Lanter, Legere, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Simpson, Smith, Snyder, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

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Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER:** The Committee on Enrolled Bills have examined

House Bill No. 276, An act providing for a change of name of Carrie E. L Engle,

House Bill No. 290, An act to remove disabilities from certain persons therein named,

House Bill No. 120, An act to legalize the official acts of the city of De Soto, a city of the third class in Johnson county, Kansas,

House Bill No. 83, An act to define the boundaries of the 12th judicial district and to regulate the terms of court therein,

House Bill No. 338, An act to amend an act entitled an act to incorporate the city of Eudora,

House Bill No. 335, An act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the sale of school lands, approved March 2, 1871,

House Bill No. 315, An act for the relief of the board of education of the city of Independence,

House Bill No. 203, An act to authorize the county commissioners of Russell county to issue the bonds of said county for the purpose of liquidating the county indebtedness and other purposes,

House Bill No. 184, An act to vacate State roads in Atchison county,

House Bill No. 197, An act to authorize the township of Wellington, in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner,

House Bill No. 88, An act authorizing the county treasurer of Ellsworth county to transfer certain funds,

House Bill No. 323, An act to vacate certain streets and alleys in the city of Lecompton,

Substitute for House Bill No. 342, An act legalizing the

survey of Clay Center, in the county of Clay, and State of Kansas,

House Bill No. 187, An act to legalize the issue of certain school bonds issued by a vote of the people in school district No. 16, Douglas county,

House Bill No. 169, An act to promote the improvement of real estate by exempting mortgages and other securities from taxation,

House Bill No. 298, An act to authorize school districts to remove school houses from settlers' claims or condemn an acre or more of land in certain cases,

House Bill No. 156, An act for the relief of E. R. Jones, W. J. Hobson, Wm. H. Hastings and Wm. H. Knapp in the purchase of school lands therein named,

House Bill No. 341, An act to amend an act entitled an act to regulate salvage, approved February 23, 1869,

House Bill No. 368, An act authorizing a city of the third class to vote bonds for the purpose herein named,

House Bill No. 330, An act to amend an act with reference to cities of the first class,

House Bill No. 374, An act to provide for issuing the bonds of Parker township, Morris county, Kansas,

House Bill No. 306, An act authorizing the survey of township No. 21 south, of range 1 east,

House Bill No. 346, An act to legalize the actions of the Town Company of Howard City, in the county of Howard,

Substitute for House Bill No. 39, An act to amend an act entitled an act to incorporate cities of the second class, and to repeal former acts, approved February 28, 1872,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

On motion of Mr. Willets,

House Bills Nos. 164 and 398, and Senate Bill No. 47 were put upon their third reading.

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BILLS ON THIRD READING.

House Bill No. 164, An act requiring the education of healthy children,

Was read the third time.

And the question being: Shall the bill pass?

The yeas and nays were had with the following result:

Yeas, 32; nays, 28.

The following gentlemen voted in the affirmative:

Messrs. Baker, Bateman, Beaty, Bishop, Blakely, Brown, Childe, Dillard, Ensign, Frazier, Funston, Gillespie, Guffy, Harvey, Hodges, Hungerford, James, Langdon, Larkin, Legere, Lowrey, Lowe, J. W. Miller, Morgan, Nugent, Peck, Plummer, Robinson, Shaw, Snyder, Stratton and Vickers.

Gentlemen voting in the negative were:

Messrs. Allen, Bell, Brenner, Buchan, Cochrane, Crew, Cummings, Curtain, Davis, DeForrest, Harper, Jeffrey, Lane, Lanter, G. M. Miller, Motz, O'Driscoll, Searcy, Simpson, Titus, Ward, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Banta, Belden, Billings, Bond, Bowers, Bowron, Brinkman, Cooper, Cross, Eldridge, Fields, Forsee, Gregg, Green, Henshaw, Hoesman, Hutchings, Hutchinson, Huntington, J. M. Hunter, W. J. Hunter, Kahler, Kalloch, Mapes, McDermott, McDonald, McLean, Morrison, Reasoner, Ross, Scofield, Sellers, Sexton, Shoemaker, Smith, Spaulding, Tough, Turner, Veale, Wakefield, Weaver and Mr. Speaker Kellogg.



And so a constitutional majority not having voted in favor of the passage of the bill,

The bill was lost.

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Senate Bill No. 47, An act entitled an act relating to killing or wounding of stock by railroads,

Was taken up.

And the question being: Shall the bill pass?

Mr. Baker moved to amend by putting in the Substitute to Senate Bill No. 47 in the place of the bill,

Which motion was lost.

Mr. Buchan moved that

Senate Bill No. 47 be made a Special Order for to-morrow at 10 o'clock A. M.

Which motion was lost.

Mr. Legere moved the previous question, being, " Shall the bill pass ? "

Which motion prevailed.

Mr. Buchan moved that the House go into Committee of the Whole for the consideration of

Senate Bill No. 47.

Which motion was lost.

The question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 31 ; nays, 31.

The following gentlemen voted in the affirmative :

Messrs. Bateman, Beaty, Bell, Bishop, Blakely, Bowron, Brenner, Brown, Childs, Cochrane, DeForrest, Dillard, Fields, Funston, Harper, Harvey, Henshaw, J. M. Hunter, James, Jeffrey, Langdon, Larkin, Legere, Mapes, McDonald, McLean,

O'Driscoll, Peck, Plummer, Shoemaker, Smith and Willets.

Gentlemen voting in the negative were:

• Messrs. Allen, Baker, Banta, Buchan, Crew, Curtain, Davis, Forsee, Frazier, Gillespie, Green, Guffy, Hodges, Hungerford, Lane, Lowrey, Lowe, McDermott, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, Robiason, Searcy, Sellers, Simpson, Snyder, Stratton, Veale, Ward, Wakefield and Wells.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Belden, Billings, Bond, Bowers, Brinkman, Cooper, Cross, Cummings, Eldridge, Ensign, Gregg, Hoesman, Hutchings, Hutchinson, Huntington, W. J. Hunter, Kahler, Kalloch, Lanter, Morrison, Reasoner, Ross, Scofield, Sexton, Shaw, Spaulding, Titus, Tough, Turner, Vickers, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority not having voted in favor of the passage of the bill,

The bill was lost.

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Mr. Snyder moved to take up the report of the Conference Committee on certain House bills.

Which motion prevailed.

MR. PRESIDENT: Your Committee of Conference on House Bills Nos. 324, 364, 358, 361, 344 and 386,

Be leave to make the following report:

The Committee recommend that in

House Bill No. 324, An act making appropriations for the executive and judiciary departments of the State,

The Secretary of State be allowed \$3,200 for clerical force.

Auditor of State for clerical force, \$3,000.

Treasurer of State for clerical force, \$3,200.

Adjutant General's Office, \$550, out of which shall be paid the claims of the outgoing Adjutant General. Strike out postage stamps, \$50, and contingent funds \$100, in Adjutant General's allowance.

Superintendent of Public Instruction—Strike out Assistant Superintendent, allow clerk hire, \$1,200, traveling expenses, \$500; strike out desk, \$100; allow shelving, \$200.

Supreme Court—Allow contingent fund, \$200; shelves, \$300; strike out all relating to misdemeanors.

House Bill No. 364, An act making appropriations for the State Penitentiary for the year ending November 30, 1873,

Strike out section 3, relating to misdemeanors.

House Bill No. 358, An act making appropriation for the annual expenses of the State Asylum for the Insane, for the fiscal year ending November 30, 1873,

Strike out section relating to misdemeanors.

House Bill No. 361, An act making appropriations for the support of the normal department of the Freedmen's University at Quindaro, Kansas,

Strike out that part relating to misdemeanors and retain balance of section 3, and the Senate to recede from all other amendments.

House Bill No. 344, An act making appropriations for current expenses of the State Normal School at Emporia for the fiscal year ending November 30, 1873,

Strike out all relating to misdemeanors.

House Bill No. 386, An act making appropriations for the Leavenworth State Normal School for the fiscal year ending November 30, 1873,

Strike out all relating to misdemeanors.

The above embraces all the differences between the House and the Senate.

All of which is respectfully submitted.

C. B. BUTLER,  
*Chairman.*

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On motion to adopt the report of the Conference Committee,

The yeas and nays were demanded,

The roll was called with the following result:

Yeas, 67 ; nays, 2.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bateman, Bishop, Blakely, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Huntington, J. M. Hunter, James, Jeffrey, Lane, Langdon, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Veale, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were :

Messrs. Peck and Willets.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Pelden, Bell, Billings, Bond, Bowers, Brinkman, Cooper, Cross, Eldridge, Funston, Gregg, Hoesman, Hutchinson, W. J. Hunter, Kahler, Kalloch, Lanter, Mapes, Morrison, Ross, Scofield, Sexton, Spaulding, Tough, Turner, Vickers and Mr. Speaker Kellogg.

The motion prevailed.

Mr. J. M. Miller moved to reconsider the vote by which Senate Bill No. 47 failed to pass.

Mr. Baker moved to lay the motion upon the table.

The yeas and nays were demanded, and

The roll was called with the following result:

Yeas, 42; nays, 30.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Beaty, Bell, Bishop, Bowers, Brinkman, Buchan, Crew, Cross, Cummings, Curtain, Davis, Ensign, Forsee, Frazier, Gillespie, Green, Harvey, Henshaw, Hungerford, Lane, Lowrey, Lowe, McDermott, McDonald, G. M. Miller, Morgan, Motz, Nugent, Peck, Reasoner, Robinson, Searcy, Sellers, Simpson, Snyder, Stratton, Veale, Ward and Wells.

Gentlemen voting in the negative were:

Messrs. Bateman, Bowron, Brenner, Brown, Childs, Cochrane, DeForrest, Dillard, Fields, Finston, Harper, Hutchings, J. M. Hunter, W. J. Hunter, James, Jeffrey, Langdon, Larkin, Lanter, Legere, McLean, J. W. Miller, O'Driscoll, Plummer, Shoemaker, Smith, Titus, Wakefield, Weaver and Willets.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Belden, Billings, Blakely, Bond, Cooper, Eldridge, Gregg, Guffy, Hodges, Hoesman, Hutchinson, Huntington, Kahler, Kalloch, Mapes, Morrison, Ross, Scofield, Sexton, Shaw, Spaulding, Tough, Turner, Vickers and Mr. Speaker Kellogg.

And so a majority having voted in the affirmative;

The motion prevailed.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable

body that the Senate has adopted the report of the Conference Committee on

House Bills Nos. 324, 364, 358, 344 and 386.

And has not adopted the report of the Committee on

House Bill No. 361, An act making an appropriation to the normal department of the Freedman's University at Quindaro, Kansas.

And has concurred in House amendment to Senate Bill No. 90.

GEO. C. CROWTHER,  
*Secretary.*

On motion of Mr. Peck,

House Bills Nos. 281, 250 and 299 were put upon their third reading.

House Bill No. 281, An act providing for an arbor day and relating to the planting of trees,

Was read the third time, and

Mr. Brenner moved to strike out all after the enacting clause.

Which motion was lost.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 45; nays, 14.

The following gentlemen voted in the affirmative:

Messrs. Baker, Bowers, Brown, Buchan, Childs, Crew, DeForrest, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Harvey, Henshaw, Hungerford, Huntington, W. J. Hunter, James, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, G. M. Miller, Motz, Nugent, O'Driscoll, Peck, Plummer, Searcy, Shaw, Simpson, Smith, Snyder, Titus, Veale, Ward, Wakefield, Wells and Willets.

Gentlemen voting in the negative were:

Messrs. Banta, Beaty, Bell, Brenner, Cooper, Curtain, Davis, Dillard, Hodges, Lanter, Shoemaker, Stratton and Vickers.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Allen, Bacon, Bateman, Belden, Billings, Bishop, Blakely, Bond, Bowron, Brinkman, Cochrane, Cross, Cummings, Eldridge, Gregg, Green, Harper, Hoesman, Hutchings, Hutchinson, J. M. Hunter, Kahler, Kalloch, Langdon, Mapes, Morgan, Morrison, J. W. Miller, Reasoner, Robinson, Ross, Scofield, Sellers, Sexton, Spaulding, Tough, Turner, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having failed to vote in favor of the passage of the bill,

The bill was lost.

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Substitute for House Bill No. 250, An act to further the duties of township trustees,

Was read the third time.

And the question being: Shall the bill pass as amended by Mr. Peck?

The roll was called with the following result:

Yeas, 58; nays, 1.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bell, Bishop, Blakely, Brenner, Brinkman, Brown, Buchan, Cochrane, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Guffy, Henshaw, Hodges, Hungerford, Hutchings, Huntington, W. J. Hunter, James, Jeffrey, Lane, Langdon, Larkin, Legere, Lowrey, Lowe, McDermott, McLean, G. M. Miller, J. W. Miller, Morgan, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Shaw, Simpson, Stratton, Veale, Vickers, Ward, Wakefield, Weaver, Wells and Willets.

Mr. Lanter voted in the negative

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Bateman, Beaty, Belden, Billings, Bond, Bowers, Bowron, Childs, Cooper, Cross, Eldridge, Gregg, Green, Harper, Harvey, Hoesman, Hutchinson, J. M. Hunter, Kahler, Kalloch, Mapes, McDonald, Morrison, Motz, Robinson, Ross, Scofield, Sellers, Searoy, Sexton, Shoemaker, Smith, Snyder, Spaulding, Tough, Titus, Turner and Mr. Speaker Kellogg.

And so a constitutional majority having voted for the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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By consent,

Mr. Hutchings, Chairman of the Committee on the Pomeroy investigation, made the following report :

*Be it resolved by the Senate, the House concurring :*

That as numerous charges of corruption and bribery are made against Senator S. C. Pomeroy, United States Senator from the State of Kansas; that these charges are of such a character as to deserve the careful scrutiny of this Legislature; therefore,

*Be it resolved,* That a committee of eight be appointed to investigate said charges; that said committee consist of three members of the Senate, and five of the House; that said committee are by virtue of this resolution authorized to compel the attendance of persons and papers to further the end of said investigation; that either of said committee are authorized to administer oaths and affirmations to any and all persons who may be summoned before the same; that said committee are hereby instructed to proceed at once with said investigation, and report proceedings at the earliest possible day.



## REPORT OF COMMITTEE.

*Mr. President of the Senate and Speaker of the House:*

The Committee appointed to investigate charges of bribery and corruption against Hon. S. C. Pomeroy, United States Senator, during the Senatorial election in the State of Kansas, in January, A. D. 1873, to whom was referred the foregoing resolution, beg leave to submit the following report:

WHEREAS, In pursuance to said resolution, the said Committee have carefully examined a large number of witnesses, and from said evidence have adduced the following facts:

1. That S. C. Pomeroy, while a United States Senator, and during his candidacy for re-election to said position, did attempt to use money, both himself and by those professing to be his authorized agents, to corrupt members of the present Legislature in influencing and attempting to influence them to vote for the said S. C. Pomeroy for United States Senator.

2. That the said S. C. Pomeroy did, on the twenty-eighth and twenty-ninth days of January, 1873, pay to one A. M. York, a member of the Senate of the State of Kansas, the sum of \$7,000, to influence his vote for the said S. C. Pomeroy for United States Senator.

3. That Richard Stephens, professing to be a friend to the said S. C. Pomeroy, did attempt to bribe with money one Wm. Bateman, a member of the House of Representatives of the State of Kansas, to vote for S. C. Pomeroy for United States Senator.

Therefore, we the Committee do find that the said S. C. Pomeroy is guilty of the crime of bribery, and attempting to corrupt, by offers of money, members of the Legislature of the State of Kansas.

Therefore your Committee requests to be discharged from further consideration of this subject.

Signed :

W. E. GUERIN,  
E. N. MORRILL,  
*On part of Senate.*  
S. K. CROSS,  
E. J. NUGENT,  
*On part of House.*

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MINORITY REPORT.

The undersigned members of the Joint Committee dissent from the report of the majority, and beg leave to submit the following as their views on the subject referred to the Committee for consideration:

The language of the resolution is so vague and indefinite that there exists in our minds wide doubt as to the real jurisdiction of the Committee.

There are no distinct or specific charges in the resolution, and the only light which we have as to the nature of the charges to be investigated, is contained in the following words: "As numerous charges of corruption and bribery are made against Senator S. C. Pomero~~y~~." Whether these alleged charges of corruption and bribery are of a political or business nature, when and where they are supposed to have been committed we have no information, except "that these charges are of such a character as to deserve the careful scrutiny of this Legislature."

Upon the whole we are of the opinion that the resolution is intended only to embrace such charges as may have arisen out of the late election of United States Senator by the Legislature of the State, and does not have reference to any events that may have transpired before that time.

The principal charge made against Senator Pomero~~y~~ before this Committee is that he attempted to secure the

vote of one A. M. York, a Senator from Montgomery county, by the use of money.

Mr. York was subpoenaed before the Committee and made a detailed statement of the transaction, having previously reduced to writing his version of the matter, which he was allowed to read as his testimony. Much difficulty was experienced in the examination of this witness on account of his frequent reference to his written statement, his consequent evasion of the questions asked, and his long and impertinent explanations and justifications of his own conduct, which he claimed the privilege to make.

The statement of Mr. York shows substantially that he was a member of the State Senate and Mr. Pomeroy was a candidate for the United States Senate; that in connection with other gentlemen who were opposed to Mr. Pomeroy, he entered into a plan whereby Mr. Pomeroy was to be induced to offer him money to influence his vote, and he was to accept it and expose Mr. Pomeroy.

Mr. York swears that the idea that Pomeroy was using money was first suggested to his mind on Saturday, the twenty-fifth day of January, 1873, and one of the principal reasons was that he was then informed that I. S. Kalloch and T. B. Eldridge had offered to bet each a \$1,000 draft on Pomeroy's election, and this circumstance he gives as the principal inducement and incentive to his action in entering into and carrying out the plan.

He stated that he accordingly visited Mr. Pomeroy's room on the night of Monday, the twenty-seventh of January, 1873, about midnight, and after a short interview, arose to leave, saying he had been informed that the interview was to be a "private business interview," and after this hint, Mr. Pomeroy offered him \$5,000, which the witness thought inadequate, and after much higgling about the price, it was finally agreed that Pomeroy should pay him \$8,000, and that two thousand dollars was then paid, the only consideration or promise on the part of York being, that he would vote for Mr. Pomeroy, "with the privilege of reconsideration,"

and notwithstanding the handsome price, it appears from the statements of the witness that this is all the promise or pledge Mr. Pomeroy required of him; and it does not appear that anything was said about returning the money if the witness should reconsider his agreement, but it does appear from the statements of the witness that though the bargain was subject to reconsideration, Mr. Pomeroy informed him of all his secret plans, and of numerous dark transactions in which he was engaged, and unbosomed himself as he would to a tried and intimate friend.

On the next day, Tuesday, January 28, 1873, was the Senatorial election, and Mr. York voted against Mr. Pomeroy, but there being no choice, the two houses must go into joint convention. After this election, and on the same day, at "five minutes before four o'clock," in the language of the witness, Mr. Pomeroy visited him and gave him \$5,000 more, Mr. York still resting under no obligation, except his promise to vote for Mr. Pomeroy with the privilege of reconsideration, and Mr. Pomeroy requiring no further pledges.

The next day was the joint convention, on the floor of which Mr. York produced the money and told his story. He is asked if he did not state on the floor of the Joint Convention "that he knew the names of members of the Houses that had Pomeroy's money in their pockets." He replies "I have no recollection of saying anything that could be construed to convey such a meaning, but I may have made some extravagant expression." It appears from the testimony of Mr. York, that he had been acquainted with Mr. Pomeroy for some time, and that on one occasion he had visited Washington carrying with him a letter which procured for him certain affidavits of a woman reflecting upon the character of Senator Pomeroy, and charging him with criminal intercourse with her, and with these affidavits he says he visited Senator Pomeroy, at his private parlors, called him away from his family, and by their use induced Mr. Pomeroy to remove the land office from Neodesha to Independence, after such action had been decided against by the entire Kansas delegation.

Mr. Pomeroy enters no appearance in this case, but the whole matter rests upon the testimony of Mr. York, which is subject to the severest criticism, and while saying nothing of its improbability, it is directly contradicted and impeached in a number of material respects by the testimony of other witnesses.

It appears from the testimony of Kalloch and Eldridge that the circumstances of their offering to bet each a \$1,000 draft on Pomeroy's election, was merely an act of pleasantry, but that no such thing occurred but once, and that was in a private room on Monday evening, January 27th, two days after York swears positively to have heard it and been influenced and actuated by it in his design to expose Pomeroy. Mr. York says that he communicated this circumstance to B. F. Simpson, at the time he heard it, and it was then the plan was agreed upon to expose Pomeroy.

Again, four witnesses testify that Mr. York stated on the floor of the Joint Convention that he knew members of the Legislature who had Pomeroy's money in their pockets for their votes. Yet Mr. York says he had no such knowledge, and if the statement was made by him it was extravagant. After a hasty consideration of the testimony in this case, such as we are compelled by the shortness of the session to give it, we have reached the conclusion that there is no evidence before this Committee, nor within it reach, which goes to show that Mr. Pomeroy used any money, promise of office, or other corrupt means to secure his election to the United States Senate, except that of Senator York.

Mr. York, by his own testimony, was a party to the transaction, crime, or corrupt bargain, and was of course an accomplice. There is no plainer principle in the law than that which declares that the evidence of an accomplice, unsupported, is insufficient to convict. Mr. York is not corroborated in the most trivial circumstances, but on the contrary is clearly contradicted by other witnesses in several important particulars.

Again, the rule of law and evidence, founded on the rock

of human probability and belief, is well settled, that when a witness has once shown himself to be capable of committing willful or reckless perjury, the presumption that he will tell the truth ceases, and if any connected statement of a witness is shown to be false and extravagant in any material particular, then the whole statement is presumed to be false also.

Several witnesses have testified that they were offered money to influence their votes in the late Senatorial election by parties named by them, but there has been no evidence to prove that Mr. Pomeroy was in any way connected with these persons making such offers, or even authorized such offers to be made in his behalf, except the evidence of C. A. Rohrabacher. In the case of this last witness, we are clearly of the opinion that he is totally unworthy of belief. We reach this conclusion by considering the circumstances under which the witness states the authority to have been given, and the relations at that time existing between him and Mr. Pomeroy. These circumstances render the story of this witness improbable, and the fact that the witness on three several occasions approached Mr. Pomeroy's friends, twice to Mr. Ennis and once to Judge Horton, and voluntarily offered to leave the city and place himself beyond the reach of this Committee for the sum of \$50.00, fixes his status as that of a witness in the market ready to serve the highest bidder.

We are not called upon as members of this Committee to express any opinion as to the truth of any charges made against Mr. Pomeroy, except as that opinion shall be based on the testimony before us, and from the testimony we are compelled to find that charges of bribery and corruption against S. C. Pomeroy during the Senatorial election in January, 1873, are not proven, and ask to be discharged from further consideration of the subject.

WILLIAM MARTINDALE

*On part of Senate.*

C. F. HUTCHINGS,

*Chairman on part of House.*

JAMES McDERMOTT.

On motion,  
The House adjourned.

A. R. BANKS,  
*Chief Clerk.*

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MORNING SESSION.

WEDNESDAY, MARCH 6, 1873, 9 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. David Adams, Allen, Baker, Banta, Bateman, Beaty, Bishop, Blakely, Bowron, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kalloch, Lano, Langdon, Larkin, Lowrey, Lowe, Mapes, McDermott, McLean, G. M. Miller, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Searcy, Sellers, Shaw, Shoemaker, Smith, Stratton, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by Rev. Mr. Monser.

The reading of the Journal was, on motion, dispensed with.

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On motion of G. M. Miller,

House Bill No. 197

Was called from the Governor to amend the title.

Mr. Baker arose to a question of privilege, and offered the following resolution :

*Resolved*, That the two Pages serving on half-pay be entitled to full pay.

On motion,

The resolution was adopted.

On motion of Mr. Hutchings,

The evidence in the Pomeroy Investigation was ordered printed with the report of the Committee, and made a Special Order for 8 o'clock P. M. this day.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has passed

Senate Bill No. 160, An act amendatory of section 20 of an act defining the boundaries of counties.

House Bill No. 284, An act for the relief of Johnson county.

House Bill No. 243, An act to provide for the incorporation of savings and trust companies.

House Bill No. 394, An act making appropriations for the current expenses of the State Asylum for the Deaf and Dumb.

GEO. C. CROWTHER,  
*Secretary.*



On motion,

Senate messages were taken up, and

Senate Bill No. 160

Was read a first and second time now, and ordered upon its third reading.

Senate Bill No. 160

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 21; nays, 30.

Gentlemen voting in the affirmative were:

Messrs. Allen, Bell, Brinkman, Brown, Childs, DeForrest, Ensign, Fields, Frazier, Green, Hungerford, J. M. Hunter, W. J. Hunter, Kalloch, Peck, Plummer, Sellers, Snyder, Stratton, Titus and Wakefield.

Gentlemen voting in the negative were:

Messrs. David Adams, Baker, Banta, Bateman, Beaty, Brenner, Curtain, Davis, Dillard, Forsee, Funston, Gillespie, Gregg, Harper, Harvey, Hodges, Huntington, Jeffrey, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, Morgan, Shaw, Simpson, Smith, Vickers and Wells.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Belden, Billings, Bishop, Blakely, Bond, Bowers, Bowron, Buchan, Cochrane, Cooper, Crew, Cross, Cummings, Eldridge, Guffy, Henshaw, Hoeman, Hutchings, Hutchinson, James, Kahler, Lane, Langdon, Lowe, McDonald, McLean, G. M. Miller, J. W. Miller, Morrison, Motz, Nugent, O'Driscoll, Reasoner, Robinsen, Ross, Scofield, Searcy, Sexton, Shoemaker, Spaulding, Tough, Turner, Veale, Ward, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority not having voted in favor of the passage of the bill,

The bill was lost.

On motion,

Mr. G. M. Miller offered the following, which was adopted as the amendment to the title of House Bill No. 197 :

"An act to authorize certain townships in the counties therein named to issue bonds for the purposes therein named."

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Report of Special Committee appointed to investigate the conduct of A. Thoman, late Auditor of State, in the registry of certain bonds.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring :*

That a committee of two on the part of the House and one on the part of the Senate be appointed to investigate the charges against the late Auditor of State, A. Thoman, of having registered in his office some two hundred thousand dollars of bogus bonds, with power to send for persons and papers, administer oaths, and to appoint such necessary officers as they may require to make a complete examination of said case.

A. R. BANKS,  
*Chief Clerk.*

Concurred in by the Senate Feb. 4, 1873.

GEO. C. CROWTHER,  
*Secretary.*

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**MR. PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE**

The Committee appointed under the foregoing resolution met on the fifth day of February, 1873, organized, and proceeded to the examination of witnesses, and continued from day to day, and ceased to take testimony on the thirteenth day of February, 1873. M. F. Stoddard was employed by the Committee as clerk, and he reduced to writing all the

testimony taken, which testimony is herewith submitted and made a part of our report.

From the testimony taken, your Committee find that four hundred bonds of the denomination of \$500 each, purporting to be bonds issued by the cities of Cloud, Budlong and Gregory, in the county of Cherokee, and State of Kansas, to aid in the construction of the Memphis, Carthage & Northwestern railroad, were fraudulently made and issued during the month of December, 1872, and January, 1873; that two hundred of the said bonds were presented to A. Thoman, then Auditor of State, for registration on the sixteenth day of December, 1872, and were then registered by him.

Your Committee are of the opinion that at the time the said bonds were registered, the Auditor was not in possession of sufficient evidence of the genuineness of said bonds, or of evidence that they had been issued according to law, to warrant him in registering them; that in registering them he was guilty of gross and culpable negligence; that at the time the said bonds were registered, (according to the testimony of B. F. Garrison, attorney for the aforesaid railroad,) the Auditor was not in possession of any evidence of the existence of any such cities as Cloud, Budlong and Gregory, or which tended to show that said bonds were legally issued.

Your Committee further find that two hundred bonds of the denomination of \$500 each, purporting to have been issued by the cities of Budlong, Cloud and Gregory, were presented to A. Thoman, late Auditor of the State of Kansas, for registration on the ninth day of January, 1873, and were registered by him.

Your Committee further find that at the time the said bonds were issued and registered, there were no such cities in fact in the county of Cherokee, State of Kansas, as Budlong, Cloud or Gregory; that said bonds were falsely and fraudulently issued, and that all the certificates of the city clerks and mayors of the said cities were false and fraudulent; and your Committee are of the opinion that the parties who procured the issuing of the said bonds and the registration

of the same, knew them to be false and fraudulent at the time they were issued and registered; and that all the parties connected with the issuing of said bonds and certificates ought to be punished to the fullest extent of the law; and your Committee respectfully recommend that the bond and registration law be so amended as to render a repetition of this swindle an impossibility.

Respectfully submitted,

A. F. ELY, *Chairman.*  
DANIEL M. ADAMS,  
A. F. CHILDS.

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STATE OF KANSAS, HALL OF REPRESENTATIVES.

A. Thoman sworn, testified as follows:

Q. State your name and residence.

A. A. Thoman, of Topeka.

Q. What, if any, office did you hold in 1871 and 1872?

A. Auditor of the State of Kansas.

Q. What, if anything, do you know of the registration of bonds of the city of Budlong, county of Cherokee, and State of Kansas?

A. Bonds were presented for registration. They appeared on their face perfect as any bonds I had handled. The certificate that I asked for the purpose of ascertaining that the bonds were legal and all proper, was attached. I got up the blanks for the usage of the office, the law making it my duty to register bonds if I felt satisfied that they were all right. These certificates were all right—they were for the purpose of satisfaction. These are the certificates that I received.

“One dated January 7, 1871, signed by Charles Newburt, clerk, city of Cloud, Cherokee county, Kansas; also, certificate of city clerk of city of Gregory, January 7, 1871, signed

by city clerk H. W. Britton, city of Gregory, Cherokee county, Kansas."

Q. State if this certificate, purporting to be signed by Thomas Murphy on the seventh of January, 1873, relative to certain bonds on the city of Budlong, State of Kansas, is the certificate presented to you at that time.

A. Yes sir, I believe that is the certificate.

Q. State when and by whom the bonds mentioned as satisfactory were presented.

A. I can't say the exact date, but near the ninth of January. Can tell by referring. Were presented to record by Mr. B. F. Garrison, attorney of M. C. & N. Western railroad.

Q. Was anything said at that time as to the genuineness of bonds, except the certificate?

A. Nothing said as to genuineness. Had I had suspicion I should. Some of the bonds of these cities were presented earlier; a part of these bonds were presented on the twentieth of December, without the certificates; refused to register them until I had the certificate presented. Mr. Garrison, afterward, did bring the certificate.

Q. You have the statement of the amount of taxable property in the several counties?

A. I have.

Q. Do you know the amount of taxable property in Cherokee county?

A. I cannot tell at present.

Q. State, if you have any way of telling, the towns in counties.

A. I know of none.

Q. Who was with Mr. Garrison when he presented these bonds?

A. Mr. Gainford Ennis.

Q. Did you, or did you not compare these certificates with the taxable property of that county?

A. I did not.

Q. State if these certificates of his are the same as the other.

A. It is the same.

Q. Did you have any conversation with Mr. G. at that time as to why the railroad company endorsed them?

A. They said they were worth more in the market said Selegmon & Co., New York City, were the financial agents.

Q. By whom were the bonds brought for registration?

A. Mr. Garrison.

By Mr. Ennis:

Q. Did you have the same evidence as regards these bonds as in all cases?

A. The same in substance.

Q. State whether or not on presentation of those bonds for registration, together with certificates and evidences of the legality of such bonds and genuineness of signatures of the officers signing the same, you were satisfied such bonds were issued according to law and were genuine.

A. Yes.

Q. Whether or not, was it your practice or habit, on registration of bonds, to look to the record in your office as to the value of property in the particular county or city, or to act upon the certificate of officers signing the bonds.

A. I generally acted upon the certificate of officers.

Q. Did you register some bonds on Tebo & Neosho Railroad?

A. I think I did.

Q. Did you send a blank certificate and blank statements to the county clerk of Bourbon county?

A. I did send them to all the county clerks in the State.

Q. When you had not the certificate of the clerk of the county did you register the bonds?

A. I did not those that were issued before the registration law of 1872.

Q. Were those Tebo & Neosho Railroad bonds issued previous to the registration law of 1872?

A. They had been.

Q. Had you any knowledge at the time these bonds were registered that the county clerk of Bourbon county thought these bonds were illegal?

A. I did not know it at that time.

Q. Did the county clerk ever let you know that he thought these bonds illegal?

A. I do not know; I have all letters filed that were received.

Q. When did you find out that these bonds were illegal?

A. When I heard of the litigation of them.

Q. Do you know of anything in relation to these fraudulent bonds that would be of service to this Committee?

A. I do not.

A. THOMAN.

Mr. L. P. Cunningham was sworn and stated:

My name is L. P. Cunningham; my residence is Carthage, Missouri; I am acquainted with the Memphis, Carthage & Northwestern Railroad; I am president of the Memphis, Carthage & Northwestern Railroad; I know about the bonds described in this certificate guaranteed by the Memphis, Carthage & Northwestern Railroad, issued by the cities of Budlong, Cloud and Gregory; my knowledge of the bonds begins with registration; there were \$50,000 in Gregory bonds; \$25,000 in Budlong bonds; \$25,000 in Cloud, \$100,000 in all, bearing date sixteenth December, 1872. The first I

knew of these bonds was when brought to Carthage by B. F. Garrison, attorney of their road, of being registered; after these bonds were registered, the board of directors of our railroad company, at a meeting held at Carthage, directed that the payment of the bonds be guaranteed by the railroad company; after they were guaranteed by the railroad company that \$100,000 in bonds were deposited with New York parties; whatever was realized from the sale of bonds were to be paid to the company, less ten per cent., to be kept for the first year's interest. The reason of the arrangement was that we informed the parties that it was questionable as to the municipalities being able to pay the first year's interest; and further, the object in guaranteeing the bonds was to secure beyond all doubt the payment of the entire interest and principal. The other \$100,000 in bonds further issued by the same cities I have seen since; they were registered and they are now in the possession of the railroad company. The last \$100,000 in bonds have not been sold, or offered to be, as the company have no immediate use for the money. The company have realized upon the first \$100,000 of these bonds, and in the event of the cities not being able to pay these bonds, the company intend to and will pay them, as the interest and principal fall due. The Memphis, Carthage & Northwestern Railroad is intended to run through the cities of Budlong, Cloud and Gregory; I have never been in any of those cities; we received the bonds of these cities for exchange of stock in said railroad company; I can further state that certificates of stock have already been made out for each of these cities; this Memphis, Carthage & Northwestern Railroad commences at Pierce City, Missouri, on the Atlantic & Pacific Railroad, running to Independence, Kansas, distance now 110 miles, arranged 100 miles, and completed 36 miles. Directors: Joseph Selegmon, Gen. Clinton B. Fisk, Mr. V. B. Bennett, Independence, Kansas; J. J. Higgins and David Kelso, of Oswego, Kansas; H. C. Bersoll, Columbus, Kansas; George Cunningham, E. H. Brown, Charles Morguis, J. P. Boyd and L. P. Cunningham, Carthage, Missouri. We have a charter for 450 miles, and place our capital stock at \$10,000,000, amount paid in of individual subscribers; there



is \$200,000 of municipal subscription; \$800,000 of this is upon 110 miles of road; I know Thomas Murphy casually; do not know his signature; never saw him write it; suppose I have seen it on those bonds; I suppose there have been buildings at these places; I have never been there; I suppose the bonds were all right; we realized ninety cents on the dollar for the \$100,000 sold. I have seen James Dowlen; I understand he lives in Budlong or vicinity; don't know as I am acquainted with him; do not know his signature; never saw him write his name; know Charles Newburt the same as the others; I do not know as these men are in the employ or contractors of this road; I do think I know Mr. T. B. Jones; don't think I know Mr. H. W. Britton; think I know James Johnson; think he hails from one of those cities; think it is his home; before these were issued, I remember of having no conversation with any one; from common report, and such actual knowledge that there were such towns, and that they had a legal existence; I had no direct knowledge of the size of these towns. The \$100,000 sold and realized were registered at the time of the meeting of the directors; my impression is that those bonds were registered before they were guaranteed by the railroad company; think the other \$100,000 were guaranteed before registration; I suppose both lots of bonds were described; of the bonds sold by the railroad company, \$50,000 were on city of Gregory, \$25,000 on city of Cloud, and \$25,000 on city of Budlong; I am acquainted with A. W. Jay; think I have known him about one year; he resides in Columbus, Cherokee county; he is the proprietor of the cities of Cloud and Budlong—one or both; say this from hearsay.

L. P. CUNNINGHAM.

B. F. Garrison sworn, testified as follows:

My name is B. F. Garrison, Carthage, Jasper county, Missouri. (Exhibit certificate of Thomas Murphy, clerk of city of Budlong; Charles Newburt, clerk of city of Cloud, and H. W. Britton, clerk of city of Gregory, being certificates heretofore identified by A. Thoman, late Auditor of State of Kansas.) I presented the first \$100,000 in bonds described

in these certificates, to A. Thoman, about the sixteenth day of December, 1872. I visited the Auditor of State with \$100,000 of these bonds for the purpose of registration. Mr. Thoman at that time did not wish to register those bonds because I did not have certificate to satisfy him as to the legality of the issue. Upon my telling him that I thought the necessary evidence could be furnished him, he registered the bonds. I think this was on the sixteenth day of December, 1872. Sometime between the first and tenth of January, 1873, I visited the office of the Auditor of State with \$100,000 more of these bonds, and with them I brought these certificates. The second installment (\$100,000) of these bonds were registered. I do not know whether or not \$100,000 in bonds registered on or about the sixteenth of December, 1872, were the bonds sent to New York for sale. Mr. Cunningham is president and financial agent of the company. I am the attorney, and do not know, but think the first \$100,000 were the ones that were sent to New York for sale. The bonds registered on or about the sixteenth of December, 1872, are a part of those mentioned in these certificates. I obtained those bonds—the first installment of \$100,000, of Mr. Charles Newburt. I think Charles Newburt lives in Kansas, Cherokee county. I never was at his house. Have occasional acquaintance with him. Have met him twice. When he referred those bonds to me, I was in the town of Carthage, Missouri. I cannot say when they were delivered. It was sometime in December, before the 16th. I cannot remember the exact date. I am not acquainted with H. W. Bretton; I can only state from hearsay, in regard to the cities of Budlong, Cloud and Gregory; I never was along the line of the road west of Carthage; I have heard gentlemen that knew say houses were springing up at Budlong and Gregory; never heard anything about Cloud; I don't know as I am acquainted with Thomas Murphy; think I met him once at Columbus, Kansas; do not know James Dowlen; am not acquainted with D. T. Jones; I met a Mr. Johnson in Carthage last fall, but whether it was Mr. J. S. Johnson or not, I do not know; he was introduced to me in my office as Mr. Johnson, from Kansas. I presented those bonds for

registration. I did not know that there were no such cities as Budlong, Cloud and Gregory, but believed there was, and believe there is yet. At the time I presented those bonds I did not know that the city of Budlong did not contain taxable property to the value of \$1,020,000. At the time I presented those bonds, I did not know that the city of Budlong did not contain the amount of \$511,000 in taxable property. At the time I presented those bonds, I did not know that the city of Cloud did not contain \$533,000 in taxable property. I received these certificates through the mail; I do not know by whom they were sent; think they were post-marked from Columbus, Kansas; I am the person to whom Mr. Thoman delivered blank certificates heretofore described; I think I sent them by mail to Charles Newburt, with instructions to have them filled out. I am the attorney for the Memphis, Carthage and Northwestern Railroad. Neither Thomas Murphy, James Dowlen, T. D. Jones, Charles Newburt, James Johnson, nor H. W. Britton are concerned with this road, so far as my knowledge goes. I do not know what disposition was made of these bonds, or any part of them. I might have had a conversation with Mr. Thoman when I presented those bonds; do not remember of any. The second \$100,000 were brought to my office by a railroad employe. I have no knowledge of any other matter concerning the registration or issue of the bonds.

B. F. GARRISON.

F. A. Bettis, sworn, testified as follows:

My name is F. A. Bettis; I reside in Oswego, Labette county, Kansas; I am acquainted in Cherokee county; am well acquainted in that portion between the towns of Columbus and Oswego. I am well acquainted with the line of Memphis, Carthage & Northwestern Railroad. I don't know of any cities, towns or hotels in Cherokee county on the line of the road, except Columbus. I know there is no town on the line of the road in Cherokee county west of Columbus, and has not been on the line or near it for three years, except the city of Columbus. H. W. Britton, I think, resides in

Columbus. I have heard of J. S. Johnson as a contractor or sub-contractor on the Memphis, Carthage & Northwestern Railroad; also Thomas Murphy and James Domar. Charles Newburt was a boss or sub-contractor; he is a resident of Carthage, Missouri. I tried to serve a summons on Charles Newburt, about two months, but could not, as he was home in Carthage, Missouri. I know that if there are bonds purporting to be issued by cities or towns on the line of that road, or near it, the bonds are fraudulent. I have some knowledge of law. Some bonds were registered by A. Thoman, late Auditor of State. The township of Oswego issued \$100,000 in bonds, number 1 to 100, to the M., K. & T. R. R. company; subsequently the township of Oswego entered suit against the M., K. & T. R. R. company to enjoin the negotiation of the bonds, and to have them declared void. The injunction was served while the bonds were still in the hands of the company; subsequently, upon issue joined and tried, the injunction was made perpetual, the bonds declared void, and ordered to be delivered up for cancellation. Some months afterwards I wrote to Mr. Thoman, asking whether such could have been registered, about ten days before I received his answer. His answer informed me that the bonds had been presented and registered the day before date of my letter to Mr. Thoman to know who registered the bonds. He answered, they were presented for Chapman & Co., New York City. Subsequently Mr. Chapman informed me that he had purchased all of those bonds, Mr. Thoman brought the Auditor's seal to the office of Chapman & Co., in New York City, and there registered those bonds. I have examined the registry as to date of those bonds. The dates appear to have been altered by erasure.

F. A. BETTIS.

Mr. James H. Brown was sworn and testified as follows:

My residence is Fort Scott, Bourbon county. For the last year I have been county clerk of said county. On or about the fifteenth of March, 1872, I received a circular statement from the Auditor, requesting me to send him a statement of all bonds issued by Bourbon county, Kansas, outstanding;

received this statement between the fifteenth of March and first of April, 1872. I then sent him a statement of all bonds of the county, and about the first of April, know it was before the sixth of April, I received a blank (of which the attached is a true copy,) with a request that I fill up that blank with a statement of the issue of all railroad bonds of Bourbon county, Kansas. In reply to a circular enclosed with that statement, I sent a letter, (of which the attached is a true copy.) I will introduce a copy of statement of bonds, the only one from the Auditor of State I ever received, showing me of registration of bonds of said county. I examined the book of Auditor of State, and find that \$20,000, bonds of Tebo and Neosho railroad, were registered, I think about the thirteenth of June, 1872. The other \$13,000 of same series of bonds registered on or about March 30, 1872. The first circular referred to was a request to me to make a statement of all bonds theretofore to be issued, and in pursuance of section 13 of what is known as the bond and registration law of 1872. The reason that I did not certify that the Tebo and Neosho railroad bonds, issued by Bourbon county, Kansas, were issued in strict accordance with the law, was because I did not think that the records would justify me in so doing.

JAMES H. BROWN.

A. W. Jay, sworn, testified as follows:

My name is A. W. Jay, Columbus, Cherokee county, Kansas. I am well acquainted in Cherokee county. The plats of the cities of Budlong, Gregory and Cloud were given me to locate on my land. That of the city of Gregory was given me sometime in December, 1872. The plats of the other cities were given me in January, 1873, to locate as soon as I purchased land. They were sent me by Mr. Cunningham; one was sent by mail, the other by parties coming on the control of Mr. L. P. Cunningham's instance. The plats were filed for record the first of February, 1873, in the office of the register of Cherokee county, Kansas. The land of the city of Budlong is located in section 13, township 33, range 24, the west half and southwest quarter. The city of

Gregory is located on a piece of 120 acres; 80 acres is described as the east half of southwest quarter, and 40 acres northwest quarter of southeast quarter, section 14, township 33, range 25. The city of Cloud is located on south half of southeast quarter, section 12, township 33, range 22. I suppose I had a quit-claim deed on the land of the city of Cloud on the first of February, 1873. I had contracts from the railroad for the lands on which the city of Gregory was located on the first of February, 1873. I had a quit-claim of the lands on which the city of Budlong was located first of February, 1873. I claim to own the lands on which the cities of Budlong, Cloud and Gregory are located. All the improvements I know of in the city of Budlong is the breaking of lands and planting of hedges. The improvements in the city of Budlong, I should say, were not more than fifty dollars, and is worth no more than that now. The value of the improvements in the city of Gregory on the ninth of January, 1873, or previous, was claimed by the person I bought the land of to be five hundred dollars. I should think the actual value would come under that; I should think it was worth no more now than that in December, 1872. This land was contracted for at \$7 per acre. The value of the improvement in the city of Cloud, between the first of December 1872, and ninth of January 1873, I should think, was \$200. There have never been any other valuable improvements in the city of Cloud besides those I have mentioned since I have known the place. I have never given any particular attention to the land where these two places, Budlong and Cloud, are located, until three months; have known the land around there about two and-a-half years; there has never been anything known of the cities of Cloud, Budlong and Gregory in Cherokee county, Kansas, except the platting of them. I am acquainted with this man Johnson, who represents to be the mayor of Gregory; do not know his initials; he came from Carthage, Missouri, in the fall of 1872 to Columbus, Kansas. He resided there up to the first of January, 1873, at which time he returned to Carthage. He did not move his goods from Columbus, but was back and

forth between Columbus and Carthage, during the month of January. I think James, or J. S. Johnson now resides in Carthage, Missouri. H. W. Britton resided with Mr. Johnson the year 1872. I think he now resides at Carthage. James Johnson and H. W. Britton were contractors on the Memphis, Carthage and Northwestern railroad. They may have resided in Gregory in a tent while working on the road. I never heard of such a man as Thomas Murphy in Cherokee county. I do not know such a man. I know of no such man as James Dowler, Domer or Dasler. I am not acquainted with any such man as Charles Newburt, nor T. B. Jones. There is nothing I know of those bonds except what I have seen in the papers. I have seen B. F. Garrison, the attorney for the Memphis, Carthage and Northwestern Railroad, a few times. I think I signed the plats of the cities of Cloud and Budlong on the first of February, 1873. I signed and acknowledged the plat for the city of Gregory on the day they were filed. I do not know what day of the month. These towns were never staked off in lots.

A. W. JAY.

E. A. Scammon was sworn and testified as follows:

My name is Ezra A. Scammon, of Columbus, Cherokee county, Kansas. I am now register of deeds in Cherokee county; have held that office since one year ago the first of last January. I have in my office records of the cities of Budlong, Cloud and Gregory. I have certified copies of such records here in my possession. The date of the filing of the first plat of the city of Gregory, Cherokee county, Kansas, is the fourteenth of December, 1872. The second plat of the city of——, was filed the eleventh of January, 1873, at 10 o'clock A. M. I think Mr. A. W. Jay brought the first plat of the city of Gregory to my office. Mr. Jay brought the second plat. I have a plat of the city of Cloud; it was filed in my office on the first day of February, 1873. It was brought to my office by A. W. Jay. I have a plat of the city of Budlong; was filed in my office on the first of February, 1873. This plat was brought to my office by A. W.

Jay. I was requested to date back the filing of the cities of Budlong and Cloud to the fourteenth of December, 1872. Mr. Jay requested me to date them back. All the conversation I ever had with Mr. Cunningham, as to location of these town sites, was on the third of February. He came to my office with Mr. B. F. Garrison. Mr. Garrison had a certificate he wished me to sign. I refused to sign it then. Mr. Cunningham wrote one and wished me to sign it. I refused to sign that also. Mr. Cunningham stated that he had sold \$100,000 worth of bonds on the city of Gregory for \$80,000. He stated that he gave back \$10,000 for the first year's interest. He also stated that he had endorsed them, making the railroad company responsible for them. He stated nothing further I know. There are no buildings in such towns as Cloud, Budlong and Gregory. Have been over the ground of the cities of Cloud and Budlong. I do not know of any parties implicated in the issuing of the bonds of Cloud, Budlong and Gregory.

E. A. SCAMMON.

D. W. Wilder was sworn and testified as follows:

My name is D. W. Wilder, Topeka, Kansas, Auditor of State. I have in my possession in the Auditor's office the bonds register of the State of Kansas. The register shows the bonds of the city of Gregory, Kansas, 100 bonds of \$500 each, signed Jas. S. Johnson and H. W. Britton. They were registered December 20, 1872, by A. Thoman, the then Auditor of State, and 100 bonds of \$500 each, signed by J. S. Johnson, mayor, and H. W. Britton, clerk, registered in the Auditor of State's office, January 9, 1873. The register shows the bonds of the city of Budlong as follows:

On the twentieth of December, 1872, fifty \$500 bonds signed Jas. Damar, mayor, and Thos. Murphy, clerk. On the ninth of January, 1873, were registered fifty \$500 bonds, signed Jas. Damar, mayor, and Thos. Murphy, clerk. Of the city of Cloud was registered on the twentieth of December, 1872, fifty \$500 bonds, signed T. D. Jones, mayor and Chas. Newburt, clerk. On the ninth of January, 1873, was registered fifty \$500 bonds, signed T. D. Jones, mayor, and Chas.



Newburt, clerk. The register of bonds in my office shows that bonds of Spring Valley township were registered on the eleventh day of April, 1872; \$137,000 in value of these bonds were registered. In my office there is a letter on file from the county clerk of Cherokee county, bearing date March 28, 1872, stating that these bonds are illegal. In my office there is a report from the county clerk of Cherokee county, as to the value of the taxable property, which shows \$998,388 for the year 1872.

D. W. WILDER.

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BILLS ON THIRD READING.

Senate Bill No. 163, An act in relation to the extension of the corporate limits of cities and towns,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53; nays, 0.

The following gentlemen voted in the affirmative

Messrs. David Adams, Allen, Baker, Banta, Beaty, Bell, Bishop, Bowron, Brenner, Brinkman, Brown, Buchan, Cooper, Cummings, Davis, DeForrest, Dillard, Ensign, Forsee, Frazier, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hoeman, Hungerford, Huntington, J. M. Hunter, James, Jeffrey, Kalloch, Langdon, Larkin, Legere, Lowrey, McDermott, McDonald, J. W. Miller, Morgan, Motz, O'Driscoll, Plummer, Robinson, Sellers, Shaw, Shoemaker, Stratton, Vickers, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Bateman, Belden, Billings, Blakely, Bond, Bowers, Childs, Cochrane, Crew, Cross, Curtain, Eldridge, Fields, Funston, Gregg, Green, Hutchings, Hutchinson, W. J. Hunter, Kahler, Lane, Lanter, Lowe,

Mapes, McLean, G. M. Miller, Morrison, Nugent, Peck, Reasoner, Ross, Scofield, Searcy, Sexton, Simpson, Smith, Snyder, Spaulding, Titus, Tough, Turner, Veale, Ward and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill.

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Senate Bill No. 157, An act authorizing the township of Grasshopper Falls to issue bonds for the encouragement of manufactures,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 53; nays, 0.

The following gentlemen voted in the affirmative:

Messrs. Allen, Baker, Banta, Bell, Bishop, Bowron, Brinkman, Brown, Buchan, Cooper, Crew, Cross, Curtain, Davis, DeForrest, Ensign, Forsee, Frazier, Gillespie, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Huntington, J. M. Hunter, James, Jeffrey, Kalloch, Larkin, Legere, Lowrey, McDermott, G. M. Miller, J. W. Miller, Morgan, Motz, O'Driscoll, Plummer, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Stratton, Titus, Vickers, Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Bateman, Beaty, Belden, Billings, Blakely, Bond, Bowers, Brenner, Childs, Cochrane, Cummings, Dillard, Eldridge, Fields, Fuston, Gregg, Green, Hoesman, Hutchinson, W. J. Hunter,

Kahler, Lane, Langdon, Lanter, Lowe, Mapes, McDonald, McLean, Morrison, Nugent, Peck, Ross, Scofield, Searcy, Sexton, Smith, Snyder, Spaulding, Tough, Turner, Veale, Ward and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. Reasoner offered the following resolution :

WHEREAS, D. C. Williams, second Assistant Door-keeper of this House, having been arrested and failed to discharge the duties of his office, and

WHEREAS, The Door-keeper was compelled to discharge the duties of Assistant Door-keeper as well as the duties of his own office, and under such compulsion it became necessary for the Door-keeper to hire an assistant ; therefore,

*Resolved*, That the Door-keeper of this House be instructed to draw the pay of said Assistant Door-keeper from and after the twenty-third day of this session, and that he apply the same to the payment of the assistant appointed by him.

On motion,

The resolution was adopted.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate having recalled

Senate Bill No. 56, An act authorizing Montgomery county to issue bonds to pay the indebtedness of the county,

From the hands of the Governor, has again passed the bill with an amendment to section 3, in which your concurrence is respectfully desired.

GEO. C. CROWTHER,

*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 160, An act for the change of county lines.

Substitute for House Bill No. 201, An act relating to the lost records and proceedings in the county of Washington.

GEO. C. CROWTHER,

*Secretary.*

House Bill No. 327, An act to vacate a certain alley in Manhattan City, Riley county.

House Bill No. 169, An act to promote the improvement of real estate by exempting mortgages, and other securities from taxation.

House Bill No. 57, An act to authorize the city of Independence to issue bonds of the city for the purpose of liquidating its indebtedness.

GEO. C. CROWTHER,

*Secretary.*

---

On motion to concur in Senate amendments to

House Bill No. 201, An act to provide for the lost records and proceedings in the district court of Washington county,

The roll was called with the following result :

Yeas, 51; nays, 0.

Gentlemen voting in the affirmative were :

Messrs. David Adams, Baker, Banta, Bateman, Bell, Bishop, Bowers, Bowron, Brenner, Brown, Buchan, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Gillespie, Gregg, Guffy, Henshaw, Hodges, Huntington, W. J. Hunter, James, Jeffrey, Langdon, Legere, Lowrey, Mapes, McDermott, McLean, J. W. Miller, Morgan, Motz, Nugent, O'Driscoll, Plummer, Robinson, Searcy, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Wakefield, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. D. M. Adams, Allen, Bacon, Beaty, Belden, Billings, Blakely, Bond, Brinkman, Childs, Cochrane, Eldridge, Forsee, Frazier, Funston, Green, Harper, Harvey, Hoesman, Hungerford, Hutchings, Hutchinson, J. M. Hunter, Kahler, Kalloch, Lane, Larkin, Lanter, Lowe, McDonald, G. M. Miller, Morrisop, Peck, Reasoner, Ross, Scofield, Sellers, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Vickers, Ward, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The amendments were concurred in.

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Senate Bill No. 56, An act to authorize Montgomery county to issue bonds to pay the indebtedness of the county,

Was read the third time, and

On motion to concur in Senate amendments to the same,

The yeas and nays were had with the following result :

Yeas, 54 ; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Bell, Bishop, Brenner, Brinkman, Cooper, Cross, Cummings,

Curtain, Davis, DeForrest, Ensign, Fields, Gillespie, Gregg, Harvey, Hodges, Hoesman, Hungerford, Hutchings, Huntington, James, Jeffrey, Kaloch, Langdon, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McLean, J. W. Miller, Morgan, Motz, Nugent, O'Driscoll, Robinson, Searcy, Sellers, Shaw, Shoemaker, Smith, Stratton, Titus, Veale, Vickers, Wakefield, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Beaty, Belden, Billings, Blakely, Bond, Bowers, Bowron, Brown, Buchan, Childs, Cochrane, Crew, Dillard, Eldridge, Forsee, Frazier, Funston, Green, Guffy, Harper, Henshaw, Hutchinson, W. J. Hunter, J. M. Hunter, Kahler, Lane, Larkin, McDonald, G. M. Miller, Morrison, Peck, Plummer, Reasoner, Ross, Scofield, Sexton, Simpson, Snyder, Spaulding, Tough, Turner, Ward, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The Senate amendments were concurred in.

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER:** The Committee on Enrolled Bills have examined

House Bill No. 327, An act to vacate a certain alley in Manhattan City, Riley county,

House Bill No. 349, An act to authorize Rice county to issue bonds for the development of coal,

Substitute for House Bill No. 160, An act to amend an act amendatory of and supplemental to an act approved

February 29, 1872, entitled an act defining the boundaries of counties, approved March 3, 1868,

House Bill No. 241, An act to establish a State road through the counties of Republic, Jewell, Smith, Phillips, Norton, Wilson and Woodson,

House Bill No. 57, An act to ruthorize the city of Independence to issue the bonds of the city for the purpose of liquidating the indebtedness of the city,

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness.

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 392, An act to provide for the building of bridges.

GEO. C. CROWTHER,

*Secretary.*

Mr. Veale moved to reconsider the vote by which Senate bill No. 84, was stricken from the Calendar, and that the Chief Clerk be instructed to recall the same from the Senate.

Which motion prevailed.

Senate Bill No. 94, was read a third time, and

On motion of Mr. Hutchings,

Was referred to the Committee on Judiciary.

Senate Bill No. 64, An act to establish a State Board of education.

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 55; nays, 5.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Brown, Buchan, Childs, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fielda, Forsee, Gillespie, Gregg, Guffy, Harper, Harvey, Henshaw, Hodges, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Langdon, Legere, Lowrey, Mapes, McLean, G. M. Miller, Morgan, Motz, Nugent, Plummer, Robinson, Searcy, Sellers, Shoemaker, Smith, Snyder, Stratton, Veale, Vickers, Wakefield, Wells and Willets.

Gentlemen voting in the negative were:

Messrs. Brenner, Cochrane, Hungerford, Jeffrey and Lanter.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Bel-den, Billings, Bond, Bowers, Bowron, Brinkman, Cross, Eldridge, Frazier, Funston, Green, Hoesman, Hutchinson, Kahler, Kalloch, Lane, Lowe, Larkin, McDermott, McDona-ald, Morrison, J. W. Miller, O'Driscoll, Peck, Reasoner, Ross, Scofield, Sexton, Shaw, Simpson, Spaulding, Titus, Tough, Turner, Ward, Weaver and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. Banta, Chairman of the Committee on Judiciary, in



report recommended the indefinite postponement of Senate Bill No. 94.

On motion, the report was agreed to.

Senate Bill No. 84, To expedite the collection of costs in justices' court,

Was read the third time.

And the question being: Shall the bill pass?

The roll was called with the following result:

Yeas, 60; nays, 2.

The following gentlemen voted in the affirmative:

Messrs. David Adams, Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Brenner, Brinkman, Cochrane Cooper, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Langdon, Lanter, Larkin, Lowrey, Mapes, McDermott J. W. Miller, Morgan, Motz, Nugent, O'Driscoll, Plummer, Robinson, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Titus, Veale,ickers, Wakefield, Wells and Willets.

Gentlemen voting in the negative were:

Messrs. Brown and Kalloch.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Bacon, Beuty, Belden, Billings, Bond, Bowers, Bowron, Buchan, Childs, Crew, Cross, Eldridge, Frazier, Hoceman, Hutchings, Hutchinson, Kahler, Lane, Logere, Lowe, McDonald McLean, G. M. Miller, Morrison, Peck, Reasoner, Ross, Scofield, Sexton, Snyder, Spaulding, Stratton, Weaver, Tough, Turner Ward and Mr. Speaker Kellogg.

And so a constitutional majority having voted in favor of the passage of the bill,

The bill passed, and

The title was agreed to.

Ordered that the Chief Clerk inform the Senate thereof.

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Mr. Davis moved to reconsider the vote by which Senate Bill No. 84 was passed.

Mr. Fields moved to lay the motion upon the table.

Which motion prevailed.

Mr. O'Driscoll offered the following resolution :

*Resolved*, That the sum of one hundred and fifty dollars be and is hereby appropriated to pay the expenses of a teacher of the Deaf and Dumb Asylum whilst attending the Deaf and Dumb Institution of Montreal as a pupil; said teacher to be selected by the Superintendent of the Kansas Deaf and Dumb Asylum.

Mr. Hutchings moved to lay the resolution on the table

Which motion was lost.

On motion,

The resolution was adopted.

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MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, March 5, 1873. }

*to the House of Representatives :*

I have approved

House Bill No. 276, An act providing for a change of name of Carrie E. L. Engle.

House Bill No. 346, An act to legalize the actions of the Town Company of Howard City, in the county of Howard.

House Bill No. 338, An act to amend an act entitled an act to incorporate the city of Eudora.

House Bill No. 169, An act to promote the improvement of real estate by exempting mortgages and other securities from taxation.

House Bill No. 290, An act to remove disabilities from certain persons therein named.

House Bill No. 306, An act authorizing the survey of township No. 21 south, of range 1 east.

House Bill No. 83, An act to define the boundaries of the 12th judicial district and to regulate the terms of court therein.

House Bill No. 120, An act to legalize the official acts of the city of De Soto, a city of the third class in Johnson county, Kansas.

House Bill No. 330, An act to amend an act with reference to cities of the first class.

House Bill No. 335, An act to amend section 1 of an act entitled an act to amend chapter 94 of the General Statutes of 1868, relating to the sale of school lands, approved March 2, 1871.

Substitute for House Bill No. 39, An act to amend an act entitled an act to incorporate cities of the second class, and to repeal former acts, approved February 28, 1872.

House Bill No. 368, An act authorizing a city of the third class to vote bonds for the purpose herein named.

House Bill No. 88, An act authorizing the county treasurer of Ellsworth county to transfer certain funds.

House Bill No. 341, An act to amend an act entitled an act to regulate salvage, approved February 23, 1869.

Substitute for House Bill No. 342, An act legalizing the

survey of Clay Center, in the county of Clay, and State of Kansas.

House Bill No. 177, An act to authorize Labette county to issue bonds to pay its indebtedness.

House Bill No. 184, An act to vacate State roads in Atchison county.

House Bill No. 187, An act to legalize the issue of certain school bonds issued by a vote of the people in school district No. 16, Douglas county.

House Bill No. 323, An act to vacate certain streets and alleys in the city of Lecompton.

House Bill No. 315, An act for the relief of the board of education of the city of Independence.

House Bill No. 156, An act for the relief of E. R. Jones, W. J. Hobson, Wm. H. Hastings and Wm. H. Knapp in the purchase of school lands therein named.

House Bill No. 374, An act to provide for issuing the bonds of Parker township, Morris county, Kansas.

Substitute for House Bill No. 160, An act to amend an act amendatory of and supplemental to an act approved February 29, 1872, entitled an act defining the boundaries of counties, approved March 3, 1868.

House Bill No. 298, An act to authorize school districts to remove school houses from settlers' claims or condemn an acre or more of land in certain cases.

House Bill No. 327, An act to vacate a certain alley in Manhattan City, Riley county.

House Bill No. 241, An act to establish a State road through the counties of Republic, Jewell, Smith, Phillips, Norton, Wilson and Woodson.

House Bill No. 388, An act making appropriations for Legislative expenses.

House Bill No. 349, An act to authorize Rice county to issue bonds for the development of coal.

House Bill No. 57, An act to ruthorize the city of Independence to issue the bonds of the city for the purpose of liquidating the indebtedness of the city.

THOMAS A. OSBORN,

Governor.

Mr. Htuehings offered the following resolution :

*Resolved*, That after 12 o'clock M., to-day, no business be considered in this House except appropriation bills and resolutions.

The resolution was lost.

Mr. Hutchings offered the following resolution :

*Resolved*, That after 3 o'clock P. M., to-day, no business be done in this House except the consideration of appropriation bills and resolutions.

On motion,

The resolution was laid upon the table.

Mr. Titus offered the following resolution :

*Resolved by the House of Representatives :*

1. That the action of the Secretary of State in issuing copies of the General Statutes and Session Laws to members of this Legislature in lieu of copies lost or stolen during session, is hereby fully ratified by this House.

2. This resolution shall be a sufficient voucher for a copies so issued by the Secretary of State.

On motion,

The resolution was adopted.

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• MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorabli body that the Senate has passed

House Bill No. 197, An act to authorize the township of Wellington, in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner.

House Bill No. 313, An act relating to district and county agricultural societies and farmers' clubs, and amendatory of section 2 of chapter 37 of the Statutes of 1872, relating to the State Agricultural Society.

House Bill No. 399, An act for the relief of person therein named.

House Bill No. 369, An act authorizing the city of Osborne to become a city of the third class,

With amendments thereon noted.

And has failed to pass

House Bill No. 391, An act to amend section 254 of an act entitled an act regulating crimes and punishments.

And has passed

House Bill No. 224, An act relating to the collection of statistics and industries of the State, and amendatory of sections 80, 81, 82 and 83 of chapter 25 of the General Statutes of 1868.

GEO. C. CROWTHER,  
*Secretary.*

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On motion to concur in Senate amendments to

House Bill No. 369,

The roll was called with the following result :

Yeas, 61 ; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Allen, Baker, Banta, Bell, Bishop, Blakely, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane,

Cummings, Curtain, Davis, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Green, Harper, Henshaw, Hodges, Hutchings, Huntington, J. M. Hunter, Jeffrey, Lane, Langdon, Larkin, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, G. M. Miller, J. W. Miller, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Titus, Veale, Vickers, Ward, Wakefield, Wells and Willets.

Gentlemen absent or not voting were :

Messrs. David Adams, D. M. Adams, Bacon, Bateman, Beaty, Belden, Billings, Bond, Bowers, Cooper, Crew, Cross, DeForrest, Eldridge, Gillespie, Guffy, Harvey, Hoesman, Hungerford, Hutchinson, W. J. Hunter, James, Kahler, Kalloch, Lanter, Morgan, Morrison, Plummer, Ross, Scofield, Searcy, Sexton, Spaulding, Stratton, Tough, Turner, Weaver, and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative.

The Senate amendments were concurred in.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has laid upon the table

House Bill No. 293, An act amendatory of the road laws of Kansas.

House Bill No. 339, An act relating to taxation.

GEO. C. CROWTHER,

*Secretary.*

On motion

The House adjourned until 1½ o'clock this P. M.

A. R. BANKS,

*Chief Clerk.*

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AFTERNOON SESSION.

1½ O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following members were present and answered to their names:

Messrs. David Adams, Allen, Bacon, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. W. Miller, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Shaw, Simpson, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.



Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Committee on Enrolled Bills have examined

House Bill No. 243, An act to provide for the incorporation of savings and trust companies.

House Bill No. 277, An act to amend sections 601 and 608, of chapter 80 of the General Statutes.

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of counties, approved March 3, 1868, and providing for the enforcement of the laws and the preservation of the peace in unorganized counties.

House Bill No. 394, An act making appropriations for the current expenses of the State Asylum for the Deaf and Dumb.

House Bill No. 344, An act making appropriations for current expenses of the State Normal School at Emporia for the fiscal year ending November 30, 1873.

House Bill No. 364, An act making appropriations for the State Penitentiary for the year ending November 30, 1873.

House Bill No. 324, An act making appropriations for the executive and judiciary departments of the State.

House Bill No. 60, An act to vacate a certain alley in the city of Garnett.

House Bill No. 44, An act relating to State roads in the counties of Ellis, Rooks and Phillipps.

House Bill No. 98, An act to authorize school district No. 1, Coffey county, to issue additional bonds.

House Bill No. 86, An act to amend an act entitled an act to establish an insurance department in the State of Kansas, and to regulate the companies doing business therein, approved March 1, 1871.

Substitute for House Bill No. 40, An act to amend section 28, chapter 77, of the General Statutes of 1868,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has passed

Substitute for House Bills Nos. 27, 34, 103 and 121, An act declaring section lines in Wilson, Smith, Jewell, Barton, Harvey, Wabaunsee, Lincoln, Russell, Pratt and Kingman counties, in the State of Kansas, public highways.

House Bill No. 405, An act to amend section 36 of an act incorporating cities of the second class.

Substitute for House Bill No. 155, An act in relation to the division and formation of townships.

House Bill No. 360, An act making appropriations for the support of the Blind Asylum.

House Bill No. 363, An act making appropriations for the State University for the fiscal year ending November 30, 1873.

With amendments thereon noted.

House Bill No. 385, An act making appropriations for the State Agricultural College at Manhattan.

House Bill No. 339, An act relating to taxation,

With amendments to title thereon noted.

GEO. C. CROWTHER,

*Secretary.*

On motion,

The House refused to concur in Senate amendments to House Bill No. 363.

On motion,

The House concurred in Senate amendments to the title of House Bill No. 339.

Mr. Legere offered the following resolution :

*Resolved*, That we, the members of the House of Representative, at this, the close of our Legislative duties, do tender our vote of thanks to the Hon. Josiah Kellogg, Speaker, and Hon. Geo. W. Veale, Speaker *pro tem.* of the House, for their kindness and impartiality in the discharge of their often complex duties. And that we do further tender our thanks to our faithful and efficient Clerks, Sergeants-at-Arms, Door-keepers, and all persons in the respective positions in the House, who have so faithfully and pleasantly performed their duties.

Which was unanimously adopted.

Mr. Reasoner offered the following resolution:

*Resolved*, That the Sergeant-at-Arms be instructed to have the names and postoffice addresses of the members of the House and Senate printed for the use of the members.

On motion,

The resolution was adopted.

Mr. Allen, Chairman of the Conference Committee, made the following report:

MR. SPEAKER: Your Conference Committee on

Senate Bill No. 128, An act to exempt certain territory from the operation of an act entitled an act for the protection of stock from disease, approved Feb. 26, 1867, and all of the amendments thereto thereafter made,

Beg leave to make the following report:

That the House recede from its amendments and the bill be allowed to pass as it originally passed the Senate.

E. B. ALLEN,

*Chairman.*

Mr. Legere offered the following resolution :

*Resolved*, That the thanks of this House are hereby tendered to the faithful, vigilant and careful Chairman and members of the Judiciary Committee, for the efficient manner in which they have discharged the duties of their responsible positions.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 406, An act making an appropriation o the insurance department,

With amendments thereon noted.

House Joint Resolution No. 4, Making appropriation to Jas. M. Matheney.

And has agreed to the report of the Conference Committee on

Senate Bill No. 128,

And has receded from its amendments to

House Bill No. 363.

GEO. C. CROWTHER,

*Secretary.*

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On motion to concur in Senate amendments to House Bill No. 406,

The roll was called with the following result :

Yeas, 59; nays, 0.

Gentlemen voting in the affirmative were:

Messrs Allen, Baker, Banta, Bateman, Bell, Bishop, Blakely, Bowron, Brenner, Brinkman, Brown, Buchan, Crew, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Guffy, Harvey, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, Jeffrey, Lane, Larkin, Legere, Lowrey, Lowe, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Motz, Nugent, O'Driscoll, Peck, Reasoner, Robinson, Searcy, Shaw, Shoemaker, Smith, Snyder, Stratton, Vickers, Ward, Wakefield and Wells.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Bacon, Beaty, Belden, Billings, Bond, Bowers, Childs, Cochrane, Cooper, Cross, Cummings, Eldridge, Green, Harper, Henshaw, Hutchinson, James, Kahler, Kalloch, Langdon, Lanter, Mapes, Morgan, Morrison, Plummer, Ross, Scofield, Sellers, Sexton, Simpson, Spaulding, Titus, Tough, Turner, Veale, Weaver, Willets and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The amendments were concurred in.

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Mr. Blakely, Chairman of the Committee on Enrolled Bills, made the following report:

MR. SPEAKER: The Committee on Enrolled Bills, have examined

House Bill No. 284, An act for the relief of Johnson county.

House Bill No. 358, An act making appropriation for the annual expenses of the State Asylum for the Insane, for the fiscal year ending November 30, 1873.

Substitute for House Bill 392, An act to amend sections 19 and 64, chapter 24, General Statutes, defining the boundaries of Davis and Riley counties.

House Bill No. 386, An act making appropriations for the Leavenworth State Normal School for the fiscal year ending November 30, 1873.

And find the same correctly enrolled, and have submitted the same to the Governor for his approval.

W. J. BLAKELY,  
*Chairman.*

---

Mr. Veale offered the following resolution :

*Resolved*, That the Chief Clerk, Assistant Chief Clerk, Docket Clerk and Journal Clerk of this House be allowed each a copy of the General Statutes and a copy of the Session Laws of 1872 and 1873 ; also, a copy of each of the Journals of this session when published.

On motion,

The resolution was adopted.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable, body that the Senate has concurred in the adoption of

House Concurrent Resolution No. 17, Providing for an amendment to the constitution.

And has not concurred in the adoption of

House Joint Resolution No. 2, Recommending a constitutional convention.

GEO. C. CROWTHER,  
*Secretary.*

On motion to concur in the Senate amendments to  
House Bill No. 389,

The yeas and nays were had with the following result :

Yeas, 63 ; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. Allen, Bacon, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowron, Brinkman, Brown, Buchan, Crew, DeForrest, Ensign, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hungerford, Hutchings, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Larkin, Lanter, Lowrey, Lowe, McDonald, McLean, G. M. Miller, J. W. Miller, Motz, Nugent, O'Driscoll, Plummer, Robinson, Searcy, Sellers, Shaw, Shoemaker, Snyder, Stratton, Titus, Ward Wakefield, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. David Adams, D. M. Adams, Belden, Billings, Bond, Bowers, Brenner, Childs, Cochrane, Cooper, Cross, Cummings, Curtain, Davis, DiHard, Eldridge, Fields, Hoeman, Hutchinson, W. J. Hunter, Kaloch, Legere, Mapes, McDermott, Morgan, Morrison, Peck, Reasoner, Ross, Scofield, Sexton, Simpson, Smith, Spaulding, Tough, Turner, Veale, Vickers and Mr. Speaker Kellogg.

And so a constitutional majority having voted in the affirmative,

The Senate amendments were concurred in.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No 395, An act making appropriations for

completing the eastern portico of the State House, and for the care and improvement of the State House Grounds.

House Bill No. 389, An act making appropriations for expenses for investigation in the Pomeroy and Webb causes,

With amendments thereon noted.

GEO. C. CROWTHER,  
*Secretary.*

Mr. Buchan moved to non-concur in Senate amendments to House Bill No. 387,

And to have a Committee of Conference appointed.

Which motion prevailed.

Messrs. Buchan, Fields, Hutchings and David Adams were appointed as such Committee.

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MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate accedes to the request of the House for a Committee of Conference on

House Bill No. 387, An act making appropriations for miscellaneous expenses.

Committee on part of Senate:

Messrs. Simons, St. John and J. C. Wilson.

GEO. C. CROWTHER,  
*Secretary.*

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 362, An act to provide revenue for the years 1873 and 1874,

With an amendment.

GEO. C. CROWTHER,  
*Secretary.*



On a motion to concur in Senate amendments to  
House Bill No. 362,

The roll was called with the following result:

Yeas, 63 ; nays, 0.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Bacon, Baker, Banta, Bateman, Bell, Bishop, Bowron, Brinkman, Brown, Childs, Cochran, Cooper, Crew, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Funston, Gregg, Guffy, Harper, Harvey, Hodges, Hoesman, Hungerford, Huntington, J. M. Hunter, James, Jeffrey, Kahler, Lane, Langdon, Larkin, Lanter, Legere, Lowe, McDermott, McLean, J. W. Miller, G. M. Miller, Morgan, Motz, O'Driscoll, Peck, Reasoner, Searcy, Shaw, Shoemaker, Smith, Snyder, Stratton, Vickers, Ward, Wakefield, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Beaty, Pelden, Billings, Blakely, Bond, Bowers, Brenner, Buchan, Cross, Eldridge, Gillespie, Green, Henshaw, Hutchings, Hutchinson, W. J. Hunter, Kalloch, Lowrey, Mapes, McDonald, Morrison, Nugent, Plummer, Robinson, Ross, Scofield, Sellers, Sexton, Simpson, Spaulding, Titus, Tough, Turner, Veale, Weaver and Mr. Speaker Kellogg.

And so a majority having voted in the affirmative,

The Senate amendments were concurred in.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has refused to pass

House Bill No. 308, An act for the relief of tax payers,  
And has passed

House Bill No. 278, An act vacating the public square in Elk Falls, Howard county,

And has failed to pass

House Bill No. 122, An act to amend an act entitled an act to provide for the regulation of running at large of animals.

GEO. C. CROWTHER,

*Secretary.*

¶

The Conference Committee on House Bill No. 387,

Made the following report :

MR. SPEAKER: The Conference Committee on

House Bill No. 387, An act making appropriation for miscellaneous expenses,

Have had the matter of difference under consideration, and have instructed me to report the following as a compromise:

1. That the Senate recede from its amendment striking out the item of eight hundred dollars for A. R. Banks.

2. That the Senate recede from its amendment striking out the item of two thousand dollars attorneys' fees for the settlers on the Osage ceded lands, and insert one thousand therefor.

3. That the House concur in Senate amendments making an appropriation of two thousand five hundred dollars for pay of Regents for the various State institutions, or so much thereof as may be necessary as provided by law.

4. In regard to the item of J. Lee Knight, that the Senate recede from its amendment and that fifty dollars be inserted in lieu of twenty-five.

5. That the House concur in the following Senate amendments:

For the Leavenworth Times, \$459.80; Kansas Spirit, \$56.00; Howard City Messenger, \$12.50; Osage Mission Transcript, \$61.00; Emporia News, \$42.00; J. W. Rodgers visiting State Penitentiary, \$10.00; Nathan M. Price visiting State Penitentiary, \$10.00; J. H. Crichton visiting State Normal School at Emporia, \$6.00; W. L. Simons visiting State Normal School at Emporia, \$6.00; C. S. Martin visiting State Normal School at Emporia, \$6.00; S. J. Langdon visiting State Normal School at Emporia, \$6.00.

6. And that the House concur in Senate amendment appropriating three hundred dollars to Geo. C. Crowther, Secretary of the Senate for past services.

*On part of the House.*

W. J. BUCHAN,  
G. W. VEALE,  
H. C. FIELDS,  
DAVID ADAMS,  
C. F. HUTCHINGS.

*On part of the Senate.*

W. L. SIMONS,  
J. P. ST. JOHN,  
J. C. WILSON,

On motion,

The report of the Committee was agreed to.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has passed

House Bill No. 353, An act entitled an act to provide for the appointment of regents, directors and trustees for the control of public institutions of the State, and defining certain powers thereof,

With numerous amendments thereon noted.

GEO. C. CROWTHER,  
*Secretary.*

On motion,

The House refused to concur in the Senate amendments and asked a Committee of Conference.

Messrs. McDermott, Robinson, Baker, Cross, Crew and Fields were appointed as such Committee.

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On motion

The House adjourned until 7½ o'clock this P. M.

A. R. BANKS,  
*Chief Clerk.*

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#### EVENING SESSION.

7½ O'CLOCK P. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. David Adams, Allen, Bacon, Baker, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner,

Brinkman, Brown, Buchan, Childs, Cochrane, Crew, Cross, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Funston, Gillespie, Green, Harper, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kalloch, Lane, Lanter, Legere, Lowrey, Mapes, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Plummer, Robinson, Searcy, Sellers, Shoemaker, Simpson, Smith, Stratton, Titus, Veale, Vickers, Ward, Wakefield, Wells and Willets.

Quorum present.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate accedes to the request of the House for a Committee of Conference on

House Bill No. 353.

Committee on part of Senate:

Messrs. Blair, St. John and MCFarland.

And has agreed to the report of the Conference Committee on

House Bill No. 387,

Excepting that item regarding payment of attorneys' fees of settlers on Osage ceded lands.

GEO. C. CROWTHER,

*Secretary.*

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Mr. Veale moved to reconsider the vote by which the report of the Conference Committee on

House Bill No. 287 was agreed to.

Which motion prevailed.

Mr. Veale moved to concur in the Senate amendment.

The roll was called with the following result:

Yeas, 66; nays, 9.

Gentlemen voting in the affirmative were:

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Bell, Bishop, Blakely, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Curtain, Davis, DeForrest, Dillard, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Kahler, Kalloch, Lane, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, McDonald, J. W. Miller, G. M. Miller, Morgan, Motz, Nugent, O'Driscoll, Plummer, Reasoner, Robinson, Searcy, Shaw, Shoemaker, Simpson, Smith, Snyder, Veale, Vickers, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Bacon, Funston, Harper, Hungerford, Jeffrey, Mapes, Peck, Sellers and Willets.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Banta, Relden, Billings, Bond, Bowers, Cross, Cummings, Eldridge, Ensign, Guffy, Hutchinson, Langdon, McLean, Morrison, Ross, Scofield, Sexton, Spaulding, Stratton, Titus, Tough, Turner and Mr. Speaker Kellogg.

And so a majority having voted in the affirmative,

The Senate amendments were concurred in.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has adopted the report of the Conference Committee on

House Bill No. 261,

A copy of which is herewith submitted.

GEO. C. CROWTHER,

*Secretary.*

MR. PRESIDENT: Your Committee of Conference on  
House Bill No. 361,

Beg leave to make the following report:

Reappropriate eleven hundred dollars, or so much thereof  
as may be necessary to pay up debts contracted to March 3,  
1873, according to Senate amendment.

Strike out that part relating to misdemeanors.

C. B. BUTLER,

*Chairman.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable  
body that the Senate has passed

House Bill No. 352, An act to change a name.

House Bill No. 307, An act to vacate certain State roads  
in Saline county, Kansas.

House Bill No. 297, An act to amend section 1 of chap-  
ter 195 of the laws of 1872.

And has failed to pass

House Bill No. 333, An act to legalize the sale of certain  
school lands on the town site of Independence.

GEO. C. CROWTHER,

*Secretary.*

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Mr. DeForrest offered the following resolution :

*Resolved*, That Levi Dinkenspiel is entitled to his per diem as clerk of the Apportionment Committee of this House, and that the Chief Clerk be instructed to draw his warrant upon the Auditor therefor.

Which was, on motion, adopted.

Mr. McDermott, Chairman of the Conference Committee on House Bill No. 353, made the following report:

MR. SPEAKER: Your Committee of Conference, to whom was referred the

Senate amendments to House Bill No. 353,

Beg leave to make the following recommendations:

That the House concur in the amendments to sections 3 and 4, and to the Senate amendments striking out sections 5 and 15 and inserting 10, making the mileage 10 cents per mile instead of 7; the Senate to recede from the amendment to section 14.

In lieu of the Senate amendments to section 1, amend as follows:

Strike out 9 and insert 7 in third line. Strike out three and insert one in same line, and after the word "the" in the sixth line, strike out the words "Governor and State Superintendent of Public Instruction and." That the different sections to be numbered to conform to these amendments.

The House to concur in Senate amendments striking the word "directors" out of the title and wherever it occurs in the bill.

All of which is respectfully submitted.

JAMES McDERMOTT,  
*Chairman.*

L. N. ROBINSON,  
T. H. BAKER,  
J. S. CREW,  
H. C. FIELDS.

MR. PRESIDENT: Your Committee of Conference, to



whom was referred Senate amendments to House Bill No. 353, beg leave to report the following amendments :

That the House concur in the Senate amendments to sections 3 and 4, and to the Senate amendment striking out sections 5 and 15, and inserting sections 11, 12 and 13, with an amendment to section 13 striking out 7 and inserting 10, making the mileage 10 cents per mile instead of 7 ; also, to Senate amendment to section 10, except that the mileage therein provided shall be 10 cents per mile instead of 7.

The Senate recedes from its amendments to section 14. In lieu of Senate amendments to section 1, amend as follows :

Strike out 9 and insert 7 in the third line. Strike out three and insert 1 in the same line. After the word " the " in the sixth line, strike out the word " Governor, State Superintendent of Public Instructions, and that the different sections be numbered to conform to these amendments and the House to concur in Senate amendment striking the word " Directors " of out the title, and wherever it occurs in the bill.

A. M. BLAIR,  
*Chairman.*

J. P. ST. JOHN,

On motion to adopt the report of the Committee,

The roll was called with the following result

Yeas, 68 ; nays, 2.

The following gentlemen voted in the affirmative :

Messrs. David Adams, Allen, Baker, Bateman, Beaty, Bell, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cooper, Crew, Cross, Curtain, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, McDermott, , G. M. Miller, J. W. Miller, Morgan, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robin-

son, Searcy, Sellers, Shaw, Shoemaker, Simpson, Snyder, Stratton, Titus, Veale, Vickers, Ward, Wells and Willets.

Gentlemen voting in the negative were:

Messrs. Bacon and Davis.

Gentlemen absent or not voting were:

Messrs. D. M. Adams, Banta, Belden, Billings, Bishop, Bond, Cochrane, Cummings, Eldridge, Funston, Hungerford, Hutchinson, Kahler, Kalloch, Lane, Mapes, McLean, McDonald, Morrison, Ross, Scofield, Sexton, Smith, Spaulding, Tough, Turner, Wakefield, Weaver and Mr. Speaker Kellogg.

And so a majority having voted in the affirmative,

The report of the Committee was agreed to.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 272, An act to change the name of Joseph Miller, of Jefferson county, State of Kansas.

House Bill No. 401, An act to vacate the public highway of a section line in Cherokee county.

GEO. C. CROWTHER,

*Secretary.*

Mr. Hutchings, Chairman on the part of House in the Joint Committee of Investigation, to whom was referred instructions to investigate charges of misconduct of George C. Crowther, Secretary of the Senate, made the following report, being a majority and minority report:

MR. SPEAKER: The Joint Committee of Investigation, to whom was referred with instructions to investigate charges of misconduct against Geo. C. Crowther, Secretary of the Senate, have had the same under consideration, and

beg leave to make the following report, and to be discharged from the further consideration of the subject :

On the nineteenth day of February 1873, the Senate concurred in and referred to this Committee the following resolution :

WHEREAS, It has been currently reported since the *exposé* by Senator York in the Joint Convention, that other members of this Legislature have handed over to the Secretary of the Senate large sums of money amounting to over six thousand dollars, and

WHEREAS, Geo. C. Crowther, the Secretary of the Senate, has reported that he was in possession of the money ; therefore,

*Be it resolved by the House of Representatives, the Senate concurring therein :*

That the Joint Committee appointed to investigate charges of corruption connected with the late Senatorial election be and is hereby instructed to inquire into these further alleged charges ; ascertain what disposition was made of the money by the Secretary of the Senate, and make report of the same.

I, A. R. Banks, Chief Clerk of the House of Representatives, do hereby certify that the above is a true and correct copy of the resolution adopted February 10, 1873.

A. R. BANKS,  
*Chief Clerk.*

I do hereby certify that the foregoing resolution, House Concurrent No. 22, was, on the nineteenth day of February A. D. 1873, taken up and concurred in by the Senate.

T. H. CAVANAUGH,  
*Assistant Secretary.*

Under the authority derived from this resolution, the Committee proceeded as soon as practicable to examine under oath such witnesses as had knowledge of the charges embraced

in said resolution, and caused their testimony to be reduced to writing. The testimony is herewith submitted :

We find from the testimony, that Geo. C. Crowther, Secretary of the Senate, soon after the Joint Convention for the election of United States Senator in 1873, caused to be circulated certain slanderous reports against members to the effect that he had received from different members the sum of six thousand two hundred dollars, which had been paid them to influence their votes in the Senatorial election.

We further find that those statements were utterly false, and that George C. Crowther, Secretary of the Senate, did not receive from any member of the Legislature or from any other person any sum of money whatever that had been so paid to members of this Legislature to influence their votes.

While we do not believe that those statements were made with any malicious design, it is certain that they have gained wide circulation and credence, and have tended largely to bring this Legislature into public contempt and disgrace.

We are, therefore, of the unanimous opinion that the said conduct of Geo. C. Crowther is censurable.

WM. MARTINDAME,

*On part of Senate.*

C. F. HUTCHINGS.

*Chairman.*

E. J. NUGNT,

J. MCDERMOTT,

S. K. CROSS,

*Committee on part of the House.*

The Committee on Investigation, to whom was referred the foregoing resolution directing them to investigate charges against Geo. C. Crowther, desire to submit the following report:

MR. PRESIDENT: Your Committee proceeded to examine witnesses, and have called before them several persons whose testimony has been reduced to writing and is herewith sub-

mitted. The absence of several members of the Committee, and the pressing labors of the remainder in attending to their duties in the previously ordered investigations and as members of the Legislature, have rendered it impossible for them to give Mr. Crowther an opportunity to have his witnesses (of whom there was quite a number,) examined.

The Committee are satisfied from the evidence adduced, that no conscience money has been received by Mr. Crowther from any member of the Legislature, or any other person whatever.

It will be impossible for your Committee to take any further evidence in the case for want of time, and we would therefore ask to be relieved from further consideration of this subject.

W. E. GUERIN,  
*Chairman.*

E. MORRILL,  
*On part of Senate.*

TESTIMONY.

FEBRUARY 22, 1873, 2 P. M.

Mr. Calvin Reasoner sworn.

Questions by Mr. Hutchings:

Q. State your name, age, place of residence and occupation.

A. Calvin Reasoner, age 36 years, residence Osborn City, Osborn county, Kansas, occupation member of the Legislature.

Q. Are you acquainted with Geo. C. Crowther, Secretary of the Senate?

A. I know the gentleman.

Q. Were you present in the Joint Convention for the election of United States Senator in 1873?

A. Yes sir,

Q. Have you had any conversation with Mr. Crowther

concerning the payment of any money to him by members of the Legislature?

A. I had no direct, but an indirect conversation with him, he having answered certain questions which I suggested to one member of the company to put to him. I was in the bar room of the Tefft House, the same being somewhat crowded, and approached Mr. Motz, and he told me that a considerable sum of money had been paid in by members of the Legislature as a conscience fund. I asked him who had paid it in. He said that it was not known. I asked him to whom it was paid. He replied that it was paid to Mr. Crowther. I asked him how much had been paid. He replied, I think, three thousand and odd hundreds. He told me to ask Crowther how it was that there was odd hundreds paid. He asked Mr. Crowther how it was that there was odd hundreds paid. Mr. Crowther remarked that one man had received twelve hundred. As to the time, I think it was either Thursday or Friday. I think Friday after the Senatorial election.

Question by Mr. Morrill:

Q. Did you have any other conversation with him, or hear him make any other statement in regard to the conscience money?

A. I did not.

Question by Mr. Nugent:

Q. In the conversation, did Mr. Crowther refer to any anonymous letter he had received from any person?

A. I heard no such allusions.

Cross-examined by Mr. Crowther:

Q. Mr. Reasoner, where did you say this conversation occurred, and at what time and place?

A. In the office of the Tefft House near the big stove.

Q. When did you say this occurred?

A. On Friday after the Senatorial election.

Q. Did you ever have any conversation with me ?

A. No sir, not directly.

Q. Did you ever hear me say that I had received a dollar from any member of the present Legislature that he had received in consideration of his vote or influence in the Senatorial contest ?

A. No, not in so many words, but in substance it amounted to that during the above conversation. You said that one man or member had received twelve hundred dollars.

Q. Did you ever hear me say that any member of the Legislature had received any sum of money in the late contest ?

A. I will say yes, as above implied.

Q. Did you ever hear me say that I had ever received any money as a conscience fund from any member of the Legislature ?

A. I will say yes, as above. I went right away and had it published.

Q. Did Mr. Motz ask me about odd hundreds or an odd hundred ?

A. I will say that it was either one or the other.

Q. In answer to Motz's question, did I not say that some one had likely received twelve hundred dollars ?

A. There was no *likely* in the answer.

Mr. Motz sworn and examined.

Questions by Mr. Hutchings:

Q. State your name, age, residence and occupation.

A. Simon Motz, age 32 years, residence Hays City, Kansas, occupation merchant and member of the Legislature.

Q. Are you acquainted with Geo. C. Crowther, Secretary of the Senate ?

A. Yes sir, I am.

Q. Have you heard Geo. C. Crowther, since the Joint<sup>1</sup> Convention of the election of 1873, say anything about receiving money from any member of the Legislature?

A. I have.

Q. State that conversation.

A. It was at the table in the Tefft House. I will not be positive whether it was at dinner or supper, but I think it was right after we left the Joint Convention here. I went to the Tefft House, went out into the dining room, and after taking a seat at the table Mr. Crowther and Mr. Houston came in, one took the head of the table and the other just opposite me. Immediately after they came in we commenced talking about what had happened that day concerning the York case, and I remarked in a joking way to Mr. Crowther that he was very foolish in not putting that seven thousand dollars in his pocket. Mr. Crowther replied that if he wished to do anything of that kind he had a better opportunity now. I asked him why, what better opportunity he had now. He then said there had been six thousand dollars (I will not be certain whether he said there was one or two hundred dollars,) paid to him, referring to the time when York had handed in these seven thousand dollars. That evening or the next morning I talked with Mr. Reasoner. I will not be positive, but I think it was Reasoner, in the office of the Tefft House standing near the stove, telling him what Crowther had said at the table, and he wondered how the odd one or two hundred come. Just then Mr. Crowther came up and the man, Reasoner I think, told me to ask him how the odd hundred or two hundred come, and remarked as I told him that some one must have sold out cheap. I asked Mr. Crowther how the odd one or two hundred dollars come. He replied that one man had paid him twelve hundred dollars. At the table, previously referred to, I asked him who this man was that had paid him twelve hundred dollars. He answered that he was not at liberty to tell.

Cross-examined by Mr. Crowther:



Q. Mr. Motz, I will ask you, at the table did I say that I had as good an opportunity now as when I had the \$7,000 in my hands?

A. Your answer to me was, I have a better opportunity now.

Q. Please name the time this conversation occurred.

A. The day of the Joint Convention, which was on Wednesday.

Q. On coming up from the dining room did you not leave Mr. Houston and myself still at the table?

A. I did come away before they did.

Q. Did you not go immediately to the office of the Tefft House and leave Mr. Reasoner there at the office?

A. I went from the table to the office, but whether the conversation took place with a Mr. Reasoner at that time, I cannot say, but it is my opinion that it was the following morning or forenoon.

Q. In reply to your question about the talk that there were extra hundreds, did I not say I suppose some one received twelve hundred dollars, or some one likely receivee twelve hundred dollars?

A. Your answer to my question was that one had paid you or paid in twelve hundred dollars.

Q. Did I not say in that conversation at the table that I had received in my hands evidence that over six thousand dollars had been paid?

A. No sir.

Q. Mr. Motz, state if the next day, Thursday, or the same day, at the Kansas Pacific depot, if I did not tell you that you had misunderstood my language in the former conversation, and that I did not say that a dollar or any other sum had been paid to me by conscience stricken members, but explaining what I did say in the former conversation. Did not I tell you in the presence of Mr. Simons, Ed-

wards and Representative Bell that I had received evidence in my hands, evidence if true would indicate the payment of over six thousand dollars?

A. At the depot I asked Mr. Crowther in the presence of Mr. Edwards and several others, if he did not tell me that he had received over six thousand dollars from the members of the Legislature, he replied that I certainly must have misunderstood him; in addition to that he also said, that he told me that he was on the track of over six thousand dollars. My reply was that it could not have been possible for me to have misunderstood him.

Q. Did I not deprecate the assertions that had been made that I had received this amount of money, and say that I would be the last person to malign the character of any in such a manner?

A. I did not hear you say anything of the kind.

Mr. Mapes called and sworn.

Q. By Mr. Hutchings: State your name, age, place of residence and occupation.

A. W. H. Mapes, age 42 years, residence Labette county, Kansas, occupation member of the Legislature.

Q. Are you acquainted with Geo. C. Crowther, Secretary of the Senate?

A. I know the gentleman when I see him.

Q. Have you had any conversation with Geo. C. Crowther concerning the payment of conscience money to him by members of the Legislature, and if so, what?

A. I have. I met Mr. Crowther in company with Mr. Ware in the Tefft House. I do not know how the conversation came about that money had been paid, but the reply was that there had. He said that there had been paid the sum of six thousand dollars.

Cross-examined by Mr. Crowther.

Q. When did this conversation occur?

A. I will not be positive, but I think it was the evening after the Joint Convention or on the next day. I think it was the next day.

Q. Did I say that I had received any sum of money from any member of the Legislature in consideration of his vote or influence in the late Senatorial contest?

A. My understanding was that he had received it from members of the Legislature.

Q. Might you not have misunderstood me?

A. It is possible I might, but I think that from the best of my recollection that it is quite improbable.

Mr. West called and sworn.

Questions by Mr. Hutchings :

Q. State your name, age, place of residence and occupation.

A. G. C. West, age 32 years, residence —, occupation Lawyer, Editor and Assistant Clerk of the House.

Q. Do you know Geo. C. Crowther, Secretary of the Senate?

A. I do.

Q. Since the Joint Convention for the election of United States Senator in 1873, have you heard him say anything about receiving money from any member of the Legislature purporting to have been paid to them to influence their votes in the late Senatorial election?

A. I think it was the next morning or day after the Senatorial election I was standing in the bar room of the Tefft House. Some three or four gentlemen were standing talking when Mr. Crowther came up. I accosted him socially and said something about going on a spree with the seven thousand dollars. He replied that he had more than that to go on a spree with. He said it was thirteen thousand and two hundred now. I asked him why, and he replied that six thousand two hundred dollars had come in since the

seven thousand dollars was paid. Some of us asked him from what source it had come, and he said it was conscience money. I asked him the man from whom he got it. He replied that it had come to him mysteriously, and he had no names to give. I am not positive about the expression. We talked about the circumstance a few minutes. He started to leave and I asked him again, and he made about the same answer.

Cross-examined by Mr. Crowther.

Q. Captain West, how is it that you can recollect about this conversation and all about the circumstances between yourself and myself, and at the same time admit that there was a large crowd around you and yet not tell another one besides yourself?

A. That is the trouble, the crowd was too great.

Q. How is it that you so distinctly recollect all this conversation, and yet admit in your testimony that you have never thought of this circumstance until you were subpoenaed to-day?

A. I intended to say I had not thought much about it with a view of testifying about it.

Q. Are you positive that the conversation as testified to by you took place at the time mentioned?

A. I do not think I am mistaken about it.

Q. Is there not a possibility of your having misunderstood the language used by me in that conversation that you alledge to have taken place?

A. There is a possibility that I might have misunderstood you, but I do not think I did.

Q. When did this conversation take place, and where?

A. Some time during the next day, in the afternoon I think, in the public room of the Tefft House. I think Mr Reasoner was standing there with me, but I will not be certain.

Q. Are you sure that you held any conversation with me in regard to this matter at all ?

A. I am positive of it.

Geo. C. Crowther called and sworn.

Questions by Mr. Hutchings:

Q. State your name, age, residence and occupation.

A. Geo. C. Crowther, age 25 years, residence Osage Mission, present occupation Secretary of the Senate.

Q. Have you ever received, directly or indirectly, from any member of the present Legislature, any sum of money purporting to have been received by such member of the Legislature to influence his vote in the late Senatorial election ?

A. I have not, except the seven thousand dollars from Senator York in the Joint Convention.

Q. Do you know of any other person having received directly or indirectly, from any member of the Legislature, any sum of money purporting to have been given to such member of the Legislature to influence his vote in the late Senatorial election ?

A. I do not.

Question by Mr. Morrill:

Q. Do you know of any member of the Legislature receiving any money for his vote in the late Senatorial election ?

A. Senator York informed me that he received seven thousand dollars. I do not know positively that any other members received any consideration for their votes.

Q. If you have any reason to believe that any member of the Legislature received money for his vote, please state it.

A. Only by hearsay.

Q. Have you, since the election, told any person or persons that you had received "conscience" money from the members of the Legislature?

A. I did not, but I did assert that I had received evidence in my hands which, if true, indicates the payment of over six thousand dollars.

Questions by Mr. Martindale:

Q. Have you received, during the session of the Legislature, the sum of six thousand two hundred dollars, or any other sum from any person whatever, except the York money?

A. No sir.

Questions by Mr. McDermott:

Q. After receiving the seven thousand dollars from Mr. York did you seal the money in a package and deliver it to the President of the Senate?

A. I did.

Q. Before sealing it did you place any marks on the money or on the bands surrounding the small packages, and if so, what?

A. I did not. I tied all the packages together in one large package with a string at each end.

Mr. Motz moved to adopt the majority report.

Mr. Brenner moved to lay both reports upon the table.

Which motion was lost.

Mr. Harvey moved to adopt the minority report.

Which motion was lost.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed

House Bill No. 192, An act in relation to the State Library and the duties of the State Librarian.

GEO. C. CROWTHER,

*Secretary.*

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The question recurring upon the motion to adopt the majority report censuring Geo. C. Crowther, Secretary of the Senate.

The motion prevailed.

Mr. Hutchings, Chairman of the Joint Committee on part of the House to investigate charges of bribery and corruption against Hon. S. C. Pomeroy and members of the Legislature, submitted the following report, being a majority report signed by W. E. Guerin and E. W. Morrill on the part Senate, and E. J. Nugent and S. K. Cross on part of the House; and a minority report signed by Wm. Martindale of the Committee on the part of the Senate, and signed by C. F. Hutchings, Chairman, and James McDermott of the Committee on the part of the House.

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MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, March 6, 1873. }

*To the House of Representatives:*

I have approved

House Bill No. 243, An act to provide for the incorporation of savings and trust companies.

House Bill No. 141, An act amendatory of and supplemental to an act entitled an act defining the boundaries of

counties, approved March 3, 1868, and providing for the enforcement of the laws and the preservation of the peace in unorganized counties.

House Bill No. 394, An act making appropriations for the current expenses of the State Asylum for the Deaf and Dumb.

House Bill No. 364, An act making appropriations for the State Penitentiary for the year ending November 30, 1873.

House Bill No. 324, An act making appropriations for the executive and judiciary departments of the State.

House Bill No. 344, An act making appropriations for current expenses of the State Normal School at Emporia for the fiscal year ending November 30, 1873.

House Bill No. 284, An act for the relief of Johnson county.

Substitute for House Bill 392, An act to amend sections 19 and 64, chapter 24, General Statutes, defining the boundaries of Davis and Riley counties.

House Bill No. 358, An act making appropriation for the annual expenses of the State Asylum for the Insane, for the fiscal year ending November 30, 1873.

House Bill No. 386, An act making appropriations for the Leavenworth State Normal School for the fiscal year ending November 30, 1873.

House Bill No. 277, An act to amend sections 601 and 608, of chapter 80 of the General Statutes.

THOMAS A. OSBORN,  
*Governor.*

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable



body that the Senate has adopted the report of the Committee of Conference on

House Bill No. 353, An act entitled an act to provide for the appointment of regents, directors and trustees for the control of public institutions of the State, and defining certain powers thereof.

A copy of which is herewith transmitted for your action.

GEO. C. CROWTHER,

*Secretary.*

---

MESSAGE FROM THE GOVERNOR.

STATE OF KANSAS, EXECUTIVE DEPARTMENT }  
TOPEKA, March 6, 1873. }

In compliance with the request of your body, I herewith return House Bill 203 for further consideration.

THOMAS A. OSBORN,

*Governor.*

---

The question being to adopt the majority report,

The yeas and nays were demanded.

Pending the roll call,

Senate concurrent Resolution No. 46,

Was received from the Senate accompanied by the following message.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 46, In relation to adjournment *sine die*.

T. H. CAVANAUGH,

*Assistant Secretary.*

On motion the rules were suspended, and the resolution adopted.

Pending the announcement of the vote on the adoption of the majority report,

A call of the House was ordered and had.

The following members were present and answered to their names:

Messrs. Allen, Bacon, Bateman, Bishop, Bronner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Dillard, Funston, Harvey, J. M. Hunter, W. J. Hunter, James, Jeffrey, Lane, Langdon, Larkin, Lanter, Lowrey, McDonald, McLean, J. W. Miller, Nugent, O'Driscoll, Peck, Plummer, Searcy, Sellers, Snyder, Vickers, Ward and Wakefield.

The question recurring on the adoption,

The yeas and nays were had with the following result:

Yeas, 42; nays, 44.

Gentlemen voting in the affirmative were:

Messrs. Allen, Bacon, Bateman, Beaty, Bishop, Blakely, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Davis, Dillard, Eldridge, Guffy, Harper, Harvey, W. J. Hunter, James, Jeffrey, Lane, Langdon, Larkin, Lanter, Lowrey, McDonald, McLean, J. W. Miller, Nugent, O'Driscoll, Peck, Plummer, Searcy, Sellers, Smith, Snyder, Stratton, Vickers, Ward and Wakefield.

Gentlemen voting in the negative were:

Messrs. David Adams, D. M. Adams, Baker, Banta, Bell, Bowers, Bowron, Brinkman, Curtain, DeForrest, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, Kallooh, Legere, Lowe, Mapes, McDermott, G. M. Miller, Morgan, Motz, Reasoner, Robinson, Shaw, Shoemaker, Simpson, Titus, Veale, Weaver, Wells and Willets.

Gentlemen absent or not voting were:

Messrs. Belden, Billings, Bond, Cummings, Funston, Hutchinson, Kahler, Morrison, Ross, Scofield, Sexton, Spaulding, Tough, Turner and Mr. Speaker Kellogg.

Less than a constitutional majority having voted in the affirmative,

The majority report was not adopted.

On motion of Mr. Dermott,

The minority report was adopted.

Mr. Banta moved to publish and file the reports and original testimony with the Secretary of State, and discharge the committee to investigate charges against S. C. Pomeroy.

Mr. J. W. Hunter moved to suspend the rules, and allow Mr. Hutchings to proceed with his remarks.

Which motion was lost.

The question being then upon the motion of Mr. Banta to publish and file the testimony of the Pomeroy Investigating Committee,

The yeas and nays being demanded.

The roll was called with the following result:

Yeas, 48; nays, 28.

Gentlemen voting in the affirmative were:

Messrs. David Adams, D. M. Adams, Allen, Baker, Banta, Bell, Bowers, Bowron, Brinkman, Cummings, Curtain, Davis, DeForrest, Dillard, Ensign, Fields, Forsee, Frazier, Gillespie, Gregg, Green, Harper, Hodges, Hoesman, Hungerford, J. M. Hunter, James, Kalloch, Lane, Langdon, Larkin, Legere, Lowe, Mapes, McDermott, McLean, G. M. Miller, Motz, Reasoner, Robnson, Searcy, Shaw, Shoemaker, Simpson, Titus, Veale, Ward, Wakefield, Weaver and Wells.

Gentlemen voting in the negative were:

Messrs. Bacon, Bateman, Beaty, Bishop, Brenner, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Funston, Hutchings, Huntington, W. J. Hunter, Jeffrey, Lanter, Mc-

Donald, J. W. Miller, Nugent, O'Driscoll, Peck, Sellers, Smith, Snyder and Willets.

Gentlemen absent or not voting were:

Messrs. Belden, Billings, Blakely, Bond, Eldridge, Guffy, Harvey, Henshaw, Hutchinson, Kahler, Lowrey, Morgan, Morrison, Plummer, Ross, Scofield, Sexton, Spaulding, Stratton, Tough, Turner, Vickers and Mr. Speaker Kellogg.

A majority having voted in the affirmative,

The motion prevailed.

---

Mr. Blakely, Chairman of the Committee on Enrolled Bills, made the following report :

MR. SPEAKER: The Committee on Enrolled Bills, have examined

House Bills Nos. 389, 297, 361, 353, 369, 307, 203, 278, 313, 128, 363, 362, 399, 387, 401, 405, 395, 339 and 385, and Substitute for House Bills Nos. 155, 205, 224, 406, 103, 27, 34 and 121, and Substitute for House Concurrent Resolution No. 17, and House Joint Resolution No. 4.

W. J. BLAKELY,  
*Chairman.*

---

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 47,

And have rescinded all resolutions relating to and fixing the time for adjournment *sine die*.

GEO. C. CROWTHER,  
*Secretary.*

Senate Concurrent Resolution No. 47, In relation to adjournment *sine die*,

Was taken up and, on motion, adopted.

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MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted

Senate Concurrent Resolution No. 45, Relating to printing the report of the Pomeroy Investigation Committee.

GEO. C. CROWTHER,

*Secretary.*

---

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
TOPEKA, March 6, 1873. }

*To the House of Representatives :*

I have approved the following bills, viz:

House Bill No. 360, An act making appropriations for the support of the Blind Asylum.

Substitute for House Bill No. 224, An act supplemental to an act for the encouragement of agriculture, approved February 19, 1872.

Substitute for House Bill No. 201, An act relating to the lost records and proceedings in the county of Washington.

House Bill No. 313, An act relating to district and county agricultural societies and farmers' clubs, and amendatory of section 2 of chapter 37 of the Statutes of 1872, relating to the State Agricultural Society.

House Bill No. 362, An act to provide revenue for the years 1873 and 1874.

House Bill No. 128, An act to amend an act entitled an act to incorporate cities of the second class, approved February 28, 1872.

House Bill No. 278, An act vacating the public square in Elk Falls, Howard county.

House Bill No. 197, An act to authorize the township of Wellington, in the county of Sumner, to issue bonds to erect a court house for the use and benefit of the county of Sumner.

House Bill No. 395, An act making appropriations for completing the eastern portico of the State House, and for the care and improvement of the State House Grounds.

House Bill No. 385, An act making appropriations for the State Agricultural College at Manhattan.

Substitute for House Bill No. 155, An act in relation to the division and formation of townships.

House Bill No. 406, An act making an appropriation to the insurance department.

House Bill No. 405, An act to amend section 36 of an act incorporating cities of the second class.

House Bill No. 363, An act making appropriations for the State University for the fiscal year ending November 30, 1873.

Substitute for House Bills Nos. 27, 34, 103 and 121, An act declaring section lines in Wilson, Smith, Jewell, Barton, Harvey, Wabaunsee, Lincoln, Russell, Pratt and Kingman counties, in the State of Kansas, public highways.

House Bill No. 339, An act relating to taxation.

House Bill No. 399, An act for the relief of persons therein named.

House Bill No. 353, An act entitled an act to provide for the appointment of Regents and Trustees for the control of

the public institutions of the State, and defining certain powers thereof.

House Bill No. 389, An act making appropriations for expenses for investigation in the Pomeroy and Webb causes.

THOMAS A. OSBORN,  
*Governor.*

---

On motion

The House adjourned until 9 o'clock A. M. to-morrow.

A. R. BANKS,  
*Chief Clerk.*

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### MORNING SESSION.

WEDNESDAY, MARCH 7, 1873, 9 O'CLOCK A. M.

House called to order.

Speaker in the chair.

Roll called.

The following gentlemen were present and answered to their names :

Messrs. David Adams, D. M. Adams, Allen, Bacon, Baker, Banta, Bateman, Beaty, Bell, Bishop, Blakely, Bowers, Bowron, Brenner, Brinkman, Brown, Buchan, Childs, Cochrane, Cooper, Crew, Cross, Cummings, Curtain, Davis, DeForrest,

Dillard, Eldridge, Ensign, Fields, Forsee, Frazier, Funston, Gillespie, Gregg, Green, Guffy, Harper, Harvey, Henshaw, Hodges, Hoesman, Hungerford, Hutchings, Huntington, J. M. Hunter, W. J. Hunter, James, Jeffrey, Kahler, Kalloch, Lane, Langdon, Larkin, Lanter, Legere, Lowrey, Lowe, Mapes, McDermott, McDonald, McLean, J. W. Miller, G. M. Miller, Morgan, Morrison, Motz, Nugent, O'Driscoll, Peck, Plummer, Reasoner, Robinson, Ross, Scofield, Searcy, Sellers, Shaw, Shoemaker, Simpson, Smith, Snyder, Stratton, Titus, Tough, Turner, Veale, Vickers, Ward, Wakefield, Weaver, Wells, Willets and Mr. Speaker Kellogg.

Quorum present.

Prayer by the Rev. Mr. Patten.

---

Mr. Blakely, Chairman of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Committee on Enrolled Bills have examined

House Bill No. 192, An act in relation to the State Library and the duties of the State Librarian.

House Bill No. 387, An act making appropriation for miscellaneous expenses,

And find the same correctly enrolled, and have presented the same to the Governor for his approval.

WM. J. BLAKELY,

*Chairman.*

---

MESSAGE FROM THE GOVERNOR.

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }  
 TOPEKA, March 7, 1873. }

*To the House of Representatives:*

I have approved the following bills:



House Bill No. 297, An act to amend section 1 of chapter 195 of the laws of 1872.

House Bill No. 369, An act authorizing the city of Osborne to become a city of the third class.

House Bill No. 401, An act to vacate the public highway of a section line in Cherokee county.

House Bill No. 361, An act making appropriations for the support of the normal department of the Freedmen's University at Quindaro, Kansas.

House Bill No. 307, An act to vacate certain State roads in Saline county, Kansas.

House Bill No. 272, An act to change the name of Joseph Miller, of Jefferson county, State of Kansas.

House Bill No. 352, An act to change a name.

House Bill No. 387, An act making appropriations for miscellaneous expenses.

House Bill No. 192, An act in relation to the State Library and the duties of the State Librarian.

House Joint Resolution No. 4, and

Substitute for House Joint Resolution No. 17.

THOMAS A. OSBORN,

*Governor.*

---

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has adopted

House Concurrent Resolution No. 46.

GEO. C. CROWTHER,

*Secretary*

Mr. Kalloch moved that a committee be appointed to wait upon the Governor and ascertain if he had any communication to make to this House.

Messrs. Kalloch, Veale and Buchan were appointed as such committee.

David Adams moved to strike out the enacting clause of House Bill No. 203.

Which motion prevailed.

Mr. D. M. Adams moved to strike from the records of the House that part which shows House Bill No. 2 was read a third time.

Which motion prevailed.

The Committee appointed to wait upon his Excellency, the Governor, reported that the Governor had nothing further to communicate to this House.

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On motion,

The House adjourned *sine die*.

A. R. BANKS,  
Chief Clerk.

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